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കേരള ഗസറ്റ്
KERALA GAZETTE
അസാധാരണം
EXTRAORDINARY

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KERALA STATE ELECTRICITY REGULATORY COMMISSION, THIRUVANANTHAPURAM

NOTIFICATION

No. 1234/Con.Engg/2023/KSERC. *26th July, 2024.*

In exercise of the powers conferred under sub section (1) of Section 181, read with Section 50 of the Electricity Act, 2003 (Central Act 36 of 2003), and all other powers enabling it in this behalf and after previous publication; the Kerala State Electricity Regulatory Commission hereby makes the following Regulations to amend the Kerala Electricity Supply Code, 2014, namely:—

KERALA ELECTRICITY SUPPLY (FIFTH AMENDMENT) CODE, 2024

1. Short title and commencement.—(1) These Regulations shall be called the "Kerala Electricity Supply (Fifth Amendment) Code, 2024".

(2) It shall come into force from the date of its publication in the Official Gazette of the Government of Kerala.

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(3) In the Kerala Electricity Supply Code, 2014 (hereinafter referred to as the Code), the following amendments are made.

2. Amendment to Regulation 2.—In Regulation 2 of the Code,—

(i) for clause (3) the following clause shall be substituted, namely:—

"(3) **"agreement"** means an agreement entered into between the distribution licensee and the consumer in the manner specified below:

(i) The LT consumers other than those billed on contract demand based tariff, shall furnish an undertaking in the application form itself that they shall comply with the Kerala Electricity Supply Code, 2014 and other applicable Regulations in force, as amended from time to time and need not execute a separate agreement.

(ii) The LT consumers those billed under contract demand based tariff, shall furnish an undertaking that they shall comply with the agreement conditions, as specified in Annexure 13 of this Code, in the application form itself, and need not execute a separate agreement.

(iii)The HT/EHT consumers shall execute the agreement in the model format specified in Annexure 13 of this Code, till a revised format of agreement incorporating the necessary modifications and provisions for enabling ease of doing business is furnished by the licensee, and got the approval of the Commission;";

(ii) for clause (6), the following clause shall be substituted, namely:—

" (6) **"applicant"** means an owner or occupier of any land or premises, who files an application in the specified form, with a distribution licensee for; the supply of electricity, or the increase or reduction in sanctioned load or contract demand, or the change in title, or mutation of name or change in consumer category, or the disconnection/reconnection of supply, or termination of agreement, or shifting of service line/meter, or other services, as the case may be, in accordance with the provisions of the Act and the regulations made thereunder;";

(iii) for clause (20), the following clause shall be substituted, namely:—

"(20) **"check meter"** means a meter which shall be connected to the metering cores of the same Current Transformer (CT) and/or Voltage Transformer (VT) to which main meter is connected and shall be used for accounting and billing of electricity in case of failure of the main meter;";

(iv) for clause (24), the following clause shall be substituted, namely:—

"(24) **"connected load"** expressed in kW or kVA means aggregate of the rated capacities of all the energy consuming devices or apparatus which can be

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simultaneously used, excluding the load of standby equipments, fire fighting pumps, uninterrupted power supply equipment (UPS), Switch Mode Power Supply System (SMPS), transformer, voltage stabilizer, inverter, rectifier and measuring devices, if any, in the premises of the consumer, which are connected to the service line of the distribution licensee;";

(v) for clause (25), the following clause shall be substituted, namely:—

"(25) **"consumer installation" or "installation of the consumer"** means any composite portable or stationary electrical unit including; transformers, switch gear, motors, electric wires, fittings, earthing and apparatus, erected and wired by or on behalf of the consumer at the premises of the consumer starting from the point of supply;";

(vi) after clause (26), the following clause shall be inserted, namely:—

"(26a) **"Consumer Grievance Redressal Forum"** or **"CGRF"** or **"Forum"** means the forum for redressal of grievances of consumers, established by a distribution licensee pursuant to sub-section (5) of section 42 of the Act and Regulations made thereunder;";

(vii) for clause (27), the following clause shall be substituted, namely:—

"(27) **"contracted connected load"** means the connected load installed by the consumer at the time of availing the service connection and recorded in kW/kVA in the application form or the connected load duly revised thereafter, in respect of a consumer billed based on connected load;";

(viii) for clause (28), the following clause shall be substituted, namely:—

"(28) **"contract demand"** means the demand load in kVA agreed to be availed by the applicant/ consumer and to be supplied by the distribution licensee and indicated in the application/undertaking/agreement or the demand revised thereafter;";

(ix) after clause (30), the following clause shall be inserted, namely:—

"(30a) **"days"** means clear working days;"

(x) after clause (31), the following clause shall be inserted, namely:—

"(31a) **"defective/faulty meter**" means a meter whose condition is impairing service to a consumer or a meter that has failed to display/register/store/ transmit the data of the energy handled/ampere/voltage/power factor etc. of an installation/circuit and/or having error beyond the permissible limits specified in the CEA Metering Regulations.

Explanation: If the display of the energy meter alone is not working and/or the meter is not transmitting the data, the recorded energy for the

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purpose of billing can be retrieved by the licensee, by decoding the stored energy meter data with the help of data recovery software that can interface with the meter's memory;";

(xi) for clause (32), the following clause shall be substituted, namely:—

"(32) **"demand charge"** for a billing period means the charge levied on the consumer based on the billing demand, calculated as per the procedure approved in the tariff order issued by the Commission from time to time;";

(xii) after clause (32), the following clause shall be inserted, namely:—

"(32a) **"demand factor"** means the ratio of the maximum demand to the total connected load;";

(xiii) for clause (33), the following clause shall be substituted, namely:—

"(33) **"disconnection"** means the physical separation of a consumer from the distribution system of the distribution licensee on temporary basis at site or remotely, so as to cut off the supply of electricity to the consumer;";

(xiv) after clause (35), the following clauses shall be inserted, namely:—

"(35a) "**diversity factor**" means the ratio of the sum of maximum demands of each of the component loads to the maximum demand of the load as a whole;

(35b) **"due date"** means the day as recorded in the bill issued by the licensee in accordance with the provisions of this Supply Code, by which date payment for the electricity bill is to be made by the consumer without any late payment/ interest charges;";

(xv) after clause (39), the following clause shall be inserted, namely:—

"(39a) **"entity"** means a person/ organization/ company that has separate and distinctive existence, having its own identity and objective or conceptual reality;";

(xvi) after clause (49), the following clause shall be inserted, namely:—

"(49a) **"Internal Grievance Redressal Cell" or "IGRC"** means such first authority to be contacted by the complainant for redressal of his complaint/ grievance, as notified by the distribution licensee at the Sub-divisional or Circle level, as the case may be;";

(xvii) for clause (50), the following clause shall be substituted, namely:—

"(50) **"installation"** means any composite electrical unit used for the purpose of generating, transforming, transmitting, converting, distributing or utilizing electrical energy;";

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(xviii) for clause (52), the following clause shall be substituted, namely:—

"(52) **"licensed electrical contractor"** means a contractor licensed by the Kerala State Electricity Licensing Board of the Government of Kerala in accordance with the provisions of Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2023, as amended from time to time;";

(xix) after clause (59), the following clause shall be inserted, namely:—

"(59a) **"Nano household units"** means the household industries/ enterprises having a load up to 5 hp/4 kW, connected to an existing domestic electrical installation at applicable voltage level and billed at domestic tariff irrespective of the limit mentioned in the Tariff Order, if any, which is allowed as a measure to invirogate the entrepreneurial environment in the State;";

(xx) for clause (60), the following clause shall be substituted, namely:—

"(60) **"occupier"** means the owner or person in lawful occupation of the premises where the electrical energy is used or proposed to be used;";

(xxi) for clause (66), the following clause shall be substituted, namely:—

"(66) **power quality impairing units"** means the units/installations availing power at HT and above voltage level and having large heavy duty electrical equipments such as; motors, cranes, arc furnaces, rectifiers etc., which cause voltage dip, flickering, harmonic distortion etc. in the associated distribution system of the licensee;";

(xxii) after clause (71), the following clause shall be inserted, namely:—

"(71a) **"switchgear"** shall denote switches, circuit breakers, cut-outs and other apparatus used for the operation, regulation, and control of circuits;";

(xxiii) after clause (73), the following clause shall be inserted, namely:—

"(73a) **"temporary connection"** means an electricity connection required by a person for meeting his temporary needs for a specific period and includes purposes such as:

(i) construction of residential, commercial, industrial, infrastructure etc. projects, including flood lighting, pumps for dewatering etc.;

(ii) illumination during festivals and family/community functions;

(iii) threshers or other such machinery excluding agriculture pump sets;

(iv) touring cinemas, theatres, circus, fairs, exhibitions, melas or congregations;";

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3. Amendment of Regulation 6.—In Regulation 6 of the Code, in sub regulation (1)(b)(ii), the following Note and proviso shall be inserted, namely:—

"Note —22 kV network may not be developed in future. The existing network may be replaced by 11 kV or 33 kV network in a phased manner. Additional load for existing 22 kV consumers may be sanctioned at the same voltage level, only if, supply at 11 kV or 33 kV system is not technically feasible:

Provided that the works already under process/ execution can be completed in 22 kV voltage level.".

4. Amendment of Regulation 8.—In Regulation 8 of the code, the existing table shall be substituted with the following Table and the provisos shall be omitted, namely:—

Supply voltage	Maximum connected load (for those without demand-based metering and billing)	Maximum contract demand (for those with demand-based metering and billing)
240V (single phase)	5 kW	-
415 V (three phase)	100 kW	100 kVA
11 kV		3000 kVA
33 kV		12000 kVA
66 kV		20000 kVA
110 kV		40000 kVA
220 kV		>40000 kVA

5. Insertion of new Regulation 8A.—After Regulation 8 of the code, the following Regulation shall be inserted, namely:—

"8A. Special conditions for availing supply at different voltage levels.—(1) The limit of connected load or contract demand specified for different supply voltage levels specified in Regulation 8 above may be exceeded up to a maximum of twenty percent, if supply at the appropriate higher voltage level is not feasible due to non-availability of distribution line at such higher voltage level in that area.

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(2) The limits of connected load or contract demand specified for different supply voltage levels as specified in Regulations 8 above may be exceeded in exceptional cases with the approval of the Commission, subject to the conditions stipulated in such approval.

(3) For 240 V (single phase) consumers, the size of single motor load shall not exceed 3 hp (2.2 kW).

(4) For 415 V (three phase) consumers, the size of a single motor load shall not exceed 50 hp (37.5 kW) or 30% of the distribution transformer capacity whichever is less:

Provided that this limitation will not be applicable for the existing motors in the existing consumer installations.

(5) For 415 V (three phase) consumers, contract demand exceeding 100 kVA can be allowed, in respect of specific cases provided under Regulation 11 below.

(6) For 11 kV (HT) consumers, the maximum contract demand can be up to 5000 kVA, for consumers located within 5 km distance from the Substation and fed through dedicated UG cable of 3C, 300mm^2 with separate switchgear having energy meter for billing the energy supplied, in the substation:

Provided that for such consumers the demand should not increase above 5500 kVA at any point of time, including during non peak time zone.

(7) For consumers specified in sub regulation (6) above, billing shall be done based on the reading in the energy meter at the Substation end and the energy meter at the consumer premise shall be the check meter.

(8) New connection at 66 kV voltage shall be finalized only after coordination with the STU, on the availability of 66 kV network in the area.

(9) If a 110 kV or 220 kV substation is developed exclusively for an Industrial estate, IT park, commercial complex, infrastructure project etc., the load/ demand restrictions specified in Regulation 8 above will not be applicable and the individual consumers inside such parks/estate/complexes may be provided power using multiple 11 kV cables, if required, to meet the demand above 3000 kVA of such consumers, subject to compliance of CEA (Measures relating to Safety and Electric Supply) Regulations, 2023 and CEA (Installation and Operation of Meters) Regulations, 2006, as amended from time to time.

(10) The licensee may provide power supply at 400 kV level for those consumers who require connectivity at 400 kV level, subject to technical feasibility and the associated costs is to be borne by the consumer/developer.**”.**

6. Substitution of new regulation for Regulation 11.—For Regulation 11 of the Code, the following Regulation shall be substituted, namely:—

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"11. Limits of connected loads and contract demand for new LT connections with demand-based metering and billing.—(1) The maximum connected load permissible for low tension three phase category having demand based metering and billing, shall be limited to 200 kW:

Provided that the limit of connected load shall not be appliable for LT consumers covered under proviso to sub regulation (2) and sub regulations (3) and (5) below.

(2) The maximum contract demand permissible is 100 kVA:

Provided that the consumers who existed on the date of implementation of Kerala Electricity Supply Code, 2005, and who were permitted to operate at low tension upto a connected load of 150kVA and subsequently opted for contract demand based billing shall be allowed to operate at the same voltage level and contract demand as on the date of implementation of the Code, subject to realization of low voltage surcharge and as per the conditions specified in Regulation 11 of the Code:

(3) In case of consumers who are located in notified industrial areas, where the 11 kV distribution system including the distribution transformer is provided by the developer, the maximum contract demand permissible shall be 150 kVA, subject to the conditions that the LV energy meter of such individual consumers with contract demand exceeding 100 kVA shall be located adjacent to the distribution transformer and the consumer premises shall be connected through dedicated 4C, 240 mm^2 UG cable or of higher capacity.

(4) The voltage level and the initial contract demand of an applicant shall be, as declared by the consumer or as calculated by the licensee based on the connected load and the demand factor, whichever is higher. For this purpose, the demand factor shall not be lower than 0.5. This minimum limit of 0.5 will not be applicable for domestic consumer loads.

Explanation:

If the connected load is 100 kW and the demand factor is 0.6 then,

$$\text{Maximum demand} = \frac{100 \times 0.6}{\text{p.f } (0.95)} = 63 \text{ kVA}$$

For calculation of demand, power factor (pf) may be taken as 0.95.

In the case, where the contract demand fixed by the Licensee is higher than the initial contract demand declared by the consumer, the licensee shall refix the contract demand based on the recorded maximum demand of the consumer, after a period of three months from the date of connection, as may be required, without any charges.

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(5) An individual applicant occupying a multi storied building (including the common services of the building) may be given service connection at LT on his application, irrespective of the connected load or contract demand by providing bus ducts or cables of adequate current carrying capacity and complying with the provisions of the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2023, subject to the condition that the developer or builder of the multi- storied building, installs and maintains at his cost, the HT transformer station of adequate capacity and associated apparatus including the internal distribution system for this purpose and enhances its capacity to meet the load growth, if any.**".**

7. Amendment of Regulation 12.—For Regulation 12 of the Code, the following Regulation shall be substituted, namely:—

"12. Dedicated feeder to be provided to power quality impairing units at its cost.— Service connection to power quality impairing units having a contract demand of more than 50 percentage of the maximum contract demand for the specified voltage level under Regulation 8, shall be granted only through a dedicated feeder and the intending consumer shall meet the expenditure for construction of the feeder and related works including the necessary modification to the distribution system to be done by the licensee for this purpose, at the rates in the cost data approved by the Commission:

Provided that if the consumers, who are having a contract demand of more than 50 percentage of the maximum contract demand for the specified voltage level under Regulation 8, install soft starters, harmonic filters and other appropriate safety measures and got the scheme approval from the Electrical Inspector for such mechanism to protect the power system from disturbance, may be exempted from the requirement of dedicated feeders for the service connection.**".**

8. Amendment of Regulation 13.—In Regulation 13 of the Code, for the words "at the rates in", the words "as per" shall be substituted.

9. Amendment of Regulation 15.—In Regulation 15 of the Code,—

(1) in sub regulation (4),—

(i) for clause (ii), the following clause shall be substituted, namely:—

"(ii) multi-storied building having height above 15 m as specified in Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2023, and as amended from time to time;";

(ii) for clause (iii), the following clause shall be substituted, namely:—

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"(iii) installation involving stand by generator or renewable generation sources having capacity exceeding the limits prescribed in the notification issued by the Government from time to time;";

(iii) for clause (v), the following clause shall be substituted, namely:—

"(v) X-ray unit, CT scan, Cath Lab and high frequency installations;"

(2) for sub regulation (5), the following sub regulation shall be substituted, namely:—

"(5) All the consumers, irrespective of the connected load, shall install a suitable device for earth leakage protection such as RCCB**,** having sensitivity as specified by BIS and approved by the Electrical Inspector.".

10. Amendment of Regulation 25.—In Regulation 25 of the code, in sub regulation (2) after the existing proviso, the following proviso shall be inserted, namely:—

"Provided further that after the installation of smart meters all such consumers shall have the option to segregate the loads as essential and non-essential to participate in load regulation, ancillary services etc.".

11. Amendment of Regulation 32.—In Regulation 32 of the Code,—

(1) In sub regulation (1),—

(i) for the words "the expenditure," the words "any expenditure" shall be substituted;

(ii) in the second proviso, for the words "at the rates in" the words "as per" shall be substituted;

(2) for sub regulation (2), the following sub regulation shall be substituted, namely:—

"(2) The expenditure charged by the licensee shall be based on the cost data approved by the Commission and published by the licensee effective for the period mentioned therein, as follows:

(i) for consumers/applicants availing supply at LT and 11 kV, excluding those consumers under Regulation 36 of this Code and consumers/applicants whose premises are at a distance of over 200 m from the existing distributing main at the applicable voltage level, the licensee shall recover the expenditure based on the per kVA/kW rate approved by the Commission. The per kVA/kW rates shall be differentiated based on the load factor, power factor, category of connection, voltage, total consumption of electricity during any specified period of time, geographical position etc. of the consumers:

Provided that for consumers/applicants with connected load up to 10 kW, the connection charges as above shall be based on appropriate slabs and as approved by the Commission from time to time;

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(ii) per kVA/kW rates shall not be applicable for the individual consumers/ applicants in separate dwelling/units covered under sub regulations (iii) or (iv) of Regulation 36 below. For such consumers energization charges as approved by the Commission shall be applicable;

(iii) for consumers/applicants requiring additional connected load or contract demand, as the case may be, shall remit the cost based on per kW/kVA rate applicable for the additional connected load or contract demand. Such consumers need not remit the connection charges, if the additional connected load or contract demand is less than 10% of the approved connected load or contract demand or 20 kW/kVA, whichever is lower, unless such additional connected load or contract demand require change in the existing service line/voltage level;

(iv) for consumers/applicants covered under Regulations 36, 37 and 49 (1) of this Code, the licensee shall recover the expenditure based on the rates in the cost data of materials and work as approved by the Commission.".

12. Amendment of Regulation 33.—In Regulation 33 of the Code,—

(i) for sub regulation (1), the following sub regulation shall be substituted, namely:—

"(1) The licensee shall submit once in a year, a proposal to the Commission for approval of:

(i) the per kVA/kW rates to be collected from the different categories of consumers, as per Section 46 of the Act and Regulation 32(2) of this Code;

(ii) the cost data of materials and work, at which the expenditure is to be recovered from applicants as per Section 46 of the Act and Regulations 36,37 and 49(1) of this Code;

(iii) the energization charges applicable for consumers in different dwellings/ units in respect of cases covered under sub regulations (iii) and (iv) of Regulation 36 below;";

(ii) in sub regulation (3), for the words "the reasonable rates of materials" the words "the reasonable per kVA/kW rate and rates of materials" shall be substituted;

(iii) in sub regulation (4), for the words "the cost data approved by the Commission" the words "the cost data including the per kVA/kW rates approved by the Commission" shall be substituted;

(iv) in the proviso to sub regulation (4), the words "including the per kVA/kW rates." shall be added at the end.

13. Amendment of Regulation 36.—In Regulation 36 of the Code, in clause (v) for the words "power intensive unit irrespective of its demand", the words "power quality impairing units requiring dedicated feeder" shall be substituted.

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14. Amendment of Regulation 37.—In Regulation 37 of the Code,—

(i) in sub regulation (1), for the words "The Consumer shall bear the expenditure" the words "The consumer whose premises is at a distance of over 200m from the existing distributing mains at the applicable voltage level shall bear the expenditure" shall be substituted;

(ii) in sub regulation (2), the following proviso shall be inserted, namely:—

"Provided that, the consumers/applicant liable for paying per kW/kVA rates specified under proviso to clause (i) of sub regulation (2), of Regulation 32 of this Code, are not required to remit the cost of service line, plant etc. separately.".

15. Amendment of Regulation 40.—In Regulation 40 of the Code, in sub regulation (3),—

(i) for the words "or till completion of three years whichever is less" the words "whichever is earlier" shall be substituted;

(ii) in the proviso, the words "or on completion of three years as aforesaid" shall be omitted.

16. Omission of Regulation 46.—Regulation 46 of the Code shall be omitted.

17. Amendment of Regulation 49.—In Regulation 49 of the Code,—

(1) in sub regulation (1),

(i) for the words "in the following cases," the words "for the cases specified in Regulation 36 of this Code." shall be substituted.

(ii) in sub regulation (1), the clauses (a), (b) (c) and (d) shall be omitted.

(2) in sub regulation (7), the following proviso shall be inserted, namely:—

"Provided that, individual consumers have to remit the charges based on normal per kVA/kW rates."

18. Insertion of new Regulation 50A.—After Regulation 50, the following Regulation shall be inserted, namely:—

"50A. Power feasibility sanction for loads above 20 kW.—(1) Prospective consumers with connected load or contract demand above 20 kW/kVA may approach the distribution licensee through an application for power feasibility sanction, after obtaining the building permit/construction license/plan approval, with the preliminary details of the contract/ connected load requirements and the time frame for availing supply for the project, to enable the licensee to develop the required infrastructure to provide connectivity for the project in time. The application format may generally be as provided in Annexures 4 and 5 to this Code or as provided by the licensee:

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Provided that for consumers who have not opted the power feasibility route, the infrastructure development by the licensee shall be as per the timelines specified in the Standards of Performance Regulations, from the date of submission of application for service connection.

(2) The distribution licensee after reviewing the requirements shall issue the power feasibility sanction specifying the requirements of voltage level of supply, time frame and the tentative cost for providing the supply, as per the cost data or the per kVA/kW rate as applicable, to the consumer as per the timeframe specified in Table -1 of Regulation 81 of this Code.

(3) The consumer shall remit such cost amount in advance, to enable the distribution licensee to go ahead with the infrastructure development work, to provide the supply within 15 days time after submission of the application with completion report:

Provided that the exact amount for the cost of providing supply, as per the cost data or as per the kVA/kW rate as applicable, shall be finalized as per the application for service connection, and the advance amount remitted will be adjusted accordingly:

Provided further that, the licensee shall go ahead with the development of the infrastructure to provide the supply as per the power feasibility sanction, only after remittance of the amount demanded in the power feasibility sanction order by the applicant.**".**

19. Amendment of Regulation 56.—In Regulation 56 of the code, after sub regulation (10), the following sub regulation shall be inserted, namely:—

"(11) The procedure and requirements for providing single point supply and sharing of electricity charges shall be as provided in Annexure- 23 to this Code:

Provided that the Commission may specify appropriate tariff for single point supply consumers (commercial, domestic, industrial and others) as part of the Retail Supply Tariff Order based on the proposal from the licensee and the category of majority of the individual consumers/consumption in the project.".

20. Amendment of Regulation 58.—In Regulation 58 of the Code,—

(i) for sub regulation (1), the following sub regulation shall be substituted, namely:—

"(1) If any person after remitting the advance amount as per the power feasibility order or after applying for supply of electricity with the licensee withdraws his application or refuses to take supply within the time allotted by the licensee, the application shall stand lapsed and the applicant shall be informed accordingly.";

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(ii) in sub regulation (2), the words "with interest at bank rate as on the date of furnishing such deposit" shall be omitted.

21. Amendment of Regulation 59.—In Regulation 59 of the Code, in sub regulation (3) for the words "extend the time", the words "extend the time for a maximum period of six (6) months" shall be substituted.

22. Amendment of Regulation 62.—In Regulation 62 of the Code, for the words "(Licensees' Standards of Performance) Regulations, 2006" the words "(Standards of Performance of Distribution Licensees') Regulations, 2015" shall be substituted.

23. Amendment of Regulation 66.—In Regulation 66 of the Code, in sub regulation (3), the following proviso shall be inserted, namely:—

"Provided that, for the damages occurring to the meter and associated equipments due to ageing, corrosion, natural calamities, transient fault in the system etc., which are beyond the control of the consumer, the responsibility for the damage is not vested with the consumer.".

24. Amendment of Regulation 70.—In Regulation 70 of the Code, after the second proviso, the following provisos shall be inserted, namely:—

"Provided also that, in the case of a rented building/flat with proper lease agreement/ rent agreement, where the owner of the premises is the original consumer, then on a joint application by the owner and legal occupier, the distribution licensee shall maintain records of the building owner and the lessee/tenant and shall keep separate accounts, for the Security/Cash deposits (CD) and the additional security/cash deposit (ACD) made by the owner and the lessee/tenant and account the interests accrued thereof separately for the owner and the lessee:

Provided also that the licensee shall make the provision in their database with necessary modifications for maintaining records of the building owner and the lessee/tenant and shall keep separate accounts, within three months from the notification of this amendment Code.".

25. Amendment of Regulation 71.—In Regulation 71 of the Code, in sub regulation (1), the following provisos shall be inserted, namely:—

"Provided that, where CD and/or ACD are retained separately by the owner and the lessee/tenant in a rented premise, the ACD remitted by the lessee/tenant and the interest accrued thereon shall be refunded to the lessee/tenant, on termination of the lease agreement and subsequent disconnection of supply, on the request of the lessee/tenant:

Provided further that, the licensee shall reconnect supply to this consumer installation to a new lessee/tenant, on realization of additional cash deposit and/or charges for the intervening period, if any required, either from the owner or new lessee/tenant and the deposit shall be accounted accordingly.".

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26. Amendment of Regulation 73.—In Regulation 73 of the Code, in sub regulation (3), the following proviso shall be inserted, namely:—

"Provided that, if any excess amount is still pending after two billing cycles, the distribution licensee should refund the amount through digital transfer, forthwith to the consumer. Any delay in making such refund will have to be paid with interest at the applicable bank rates.".

27. Substitution of new regulation for Regulation 75.—For Regulation 75 of the Code, the following Regulation shall be substituted, namely:—

"75. Submission of application for various services.—(1) The default mode of submitting application shall be through online modes. The licensee shall provide online facilities such as web portal, mobile app, chatbot etc. and customer service centers, to facilitate online submission of application for all services including new connection, modification of existing connection/details, temporary connections, tariff change**,** meter change, meter shifting/line shifting etc. and faster processing of application:

Provided that for the application made through online or web portal or mobile app of the distribution licensee, the acknowledgement with the registration number or consumer number as applicable shall be auto generated on submission of the application:

Provided further that the application in physical form from the applicants may be accepted in exceptional cases and after collecting separate fees, as specified by the Commission for manual processing of the offline application:

Provided also that the licensee shall upload such applications and documents in the online web portal and provide acknowledgement accordingly:

Provided also that the licensee shall update the KYC of the consumer frequently (preferably biennial) and shall include contact details such as mobile number, WhatsApp no, email id, bank account details for refund of money, if any, etc.:

Provided also that, the licensee shall provide in the system for online authentication of the applicant through Aadhar number and OTP.

(2) The online facility shall auto generate demand including Application Fee (AF), Testing Fee (TF), per kVA/kW charges, CD, ACD, other charges, if any, as applicable, on successful submission of application form and facilitate online remittance of all charges and deposits then and there, except for new connection covered under Regulation 36**,** 37 and 49(1) of the Code. The auto generated demand can also be reviewed and deficit/surplus, if any can be realized/ adjusted.

(3) The applicant for new low-tension connection shall follow the format as specified in **Annexure - 4** and the applicant for new high tension or extra high-tension connection shall follow the format specified in **Annexure – 5,** as amended from time

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to time and as provided in the online facility of the licensee, along with his preferred dates for site inspection by the licensee.

(4) If the applicant is:

(i) a company, trust, educational institution, Government department or similar institution, the application form, digitally signed or authenticated by a competent officer duly authorized for this purpose, shall be submitted along with the soft copy of the relevant resolution or authorization letter of the institution concerned and the proof of his identity;

(ii) a partnership firm, the applicant shall submit along with the application form, a soft copy of the partnership deed and an authorization in the name of the applicant for signing the application form and service connection agreement;

(iii) a public or private limited company, the applicant shall submit along with the application form, a soft copy of the Memorandum of Association, the Articles of Association, and the Certificate of Incorporation along with an authorization in the name of the applicant for signing the application form and service connection agreement.

(5) The following documents shall also be uploaded along with the application form, in the case of the following categories of applicants:—

No.	Category of applicant	Documents
(i)	Agricultural connection of Punja or Kole land	letter of authorization from Punja or Kole Special Officer or from any authority authorized by Government in Agricultural Department.
(ii)	Irrigation pump set for pumping water from state owned rivers, canals, ponds, wells, etc.	no objection certificate from competent Government authority for pumping water from state owned rivers, canals, ponds, wells, etc.
(iii)	Non-domestic kiosks, telecom tower and temporary structure	no objection certificate for kiosk or temporary structure from the Municipal Corporation or Municipality or Grama Panchayat or land development authority or land-owning agency.

(6) Applicant for new connection shall upload a photograph of the applicant, identity proof of the applicant, proof of ownership or legal occupancy of the applicant over the premises for which new connection is being sought for and other documents as detailed in sub regulation (5) above.

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Notwithstanding anything specified above,—

(i) The documents required to be accompanied with the application forms for new connection shall be limited to two viz., proof of identity of the applicant and proof of ownership/legal occupancy of the applicant over the premises for which new connection is being sought for in normal cases; and

(ii) In the case of residential structure of plinth area of 100 sq. meters and less, electric connection may be provided without insisting for proof of ownership/legal occupancy from the Local Body, subject to the condition that electric connection shall not be considered as proof of legality of the structure or the ownership or possession.

(7) The licensee shall clearly display on its website a detailed instruction to fill up the online application form and the list of documents to accompany the application form:

Provided that the applicant may take the assistance of the electrical contractor registered with the licensee, to submit the online application.

(8) In case of application for connected load above 20 kW, the licensee shall process the same as detailed in the power feasibility report specified in Regulation 50 A above, whenever the consumer opt for the same:

Provided that prospective consumers with connected load less than 20 kW also can submit the application for feasibility and remit the tentative cost for providing the supply as per the kVA/kW rate applicable, to enable the licensee to develop the infrastructure in advance.

(9) In case of applicants requiring power feasibility the applicant shall remit the tentative cost for providing the supply as per the kVA/kW rate or the amount based on cost data, as applicable, to enable the licensee to develop the infrastructure in advance:

Provided that after completion of the electrical installation in the building the applicant shall submit following documents through online mode:

Exact load details, layout of the installation, schematic drawing, premises details, test cum completion certificate signed by the licensed electrical contractor and wireman/supervisor or energization approval and other documents required for providing a new service connection.

(10) The licensee, within six months from the date of notification of these amendment Code, shall submit the revised format of the applications to be incorporated in the online portal/mobile app for availing various services from the licensee, to the Commission for approval.

(11) The Licensee shall evolve online facility through the web portal/ mobile app for the various services with online tracking system, within 6 months of

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publication of these Amendment Code**,** taking into account the following online interface for guidance:

Page 1: Personal data of the consumer;

Page 2: Technical Particulars with option to fill the same through the licensed contractor;

Page 3: Remittance of various fees and charges which includes the per kVA/ kW rates, Security Deposit, application fees etc.;

Page 4: Application submission with preferred dates for site inspection by licensee and self-declaration based on Aadhar authentication.**".**

28. Substitution of new regulation for Regulation 76.—For Regulation 76 of the Code, the following Regulation shall be substituted, namely:—

"76. Processing the application for new service connection.—(1) On receipt of the application form or application for new service connection, the licensee shall verify the application form along with the uploaded documents, and if found deficient prima facie, shall issue an intimation through SMS/E-mail/WhatsApp etc., regarding the deficiencies in the application form.

(2) If the application form is complete, the licensee shall acknowledge the same and update the status of the same in the web portal:

Provided that, the application tracking mechanism based on the unique registration number shall be provided by the distribution licensee through web-based application or mobile app or through SMS or by any other mode to monitor the status of processing of the application like; receipt of application, site inspection, issuance of final demand note, network development, meter installation, energization etc.:

Provided further that, the reasons for pendency on the processing of the application, if any, shall be escalated to the higher officials of the licensee with intimation to the consumers through web-based application or mobile app or through SMS.

(3) The licensee shall maintain database of all the applications received in the server, to be maintained for this purpose.

(4) The licensee shall deal with the application forms and applications in each category on the broad principle of "first come; first served" basis as per the serial priority in the web portal.

(5) An application form shall be deemed to be received on the date of its receipt in the specified format, if it is complete in all respect with all relevant documents.

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(6) The licensee shall inspect the premises and fix, in consultation with the consumer, the point of supply and the place where the meter and the associated equipment shall be installed in such a manner that they are protected from sun, rain etc. and are easily accessible, without getting the premises unlocked or opened for the purposes such as inspection, meter reading and maintenance.

(7) The licensee shall align the service line along an accessible route up to the entry point of the premises.**".**

29. Substitution of new regulation for Regulation 77.—For Regulation 77 of the Code, the following Regulation shall be substituted, namely:—

"77. Inspection of the premises of the applicant by the licensee.—(1) The licensee shall on receipt of the documents as per sub regulation (5) of Regulation 76 above and after collecting the necessary fees and cost if any, stipulate a date for inspection of the premises of the applicant in consultation with the applicant, and intimate through electronic mode such as SMS/e-mail/WhatsApp etc. accordingly.

(2) The date of inspection shall be scheduled within five working days from the date of receipt of application form.

(3) If the applicant wishes, he can get the inspection scheduled on a holiday for the licensee or a day specified by the consumer, on payment of an inspection fee approved by the Commission in the Schedule of Miscellaneous Charges as per Schedule-1 to the Code.

(4) On the appointed date for inspection, the licensee shall inspect and test, in the presence of the applicant or his authorized representative and the concerned licensed electrical contractor, the installation of the applicant and shall maintain a record of test results in the format given in Annexure – 6, as required of him under the provisions of the Central Electricity Authority (Measures relating to Safety and Electricity Supply) Regulations, 2023, as amended from time to time.

(5) During the inspection, the licensee shall:—

(a) determine and record the connected load of the consumer in accordance with the completion report submitted;

(b) verify and record the correct full address of the premises and note down landmarks near the property and the number of the pole or the details of the distribution pillar from where service connection is proposed to be given; and

(c) verify all other particulars mentioned in the application form, as required.**".**

30. Amendment of Regulation 78.—In Regulation 78 of the Code,—

(i) in sub regulation (1), the words "and the same shall be uploaded in the online application/service portal." Shall be added at the end;

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(ii) in sub regulation (2), for the words "in writing under acknowledgement" the words "through the online application/ service portal." shall be substituted.

31. Substitution of new regulation for Regulation 79.—For Regulation 79 of the Code, the following Regulation shall be substituted, namely:—

"79. Re-inspection of the premises after rectification of defects.—(1) On receipt of information from the applicant about the rectification of defects, the licensee shall re-inspect the premises of the applicant in consultation with the applicant, under intimation through electronic modes such as SMS, e-mail, and WhatsApp. The re-inspection shall generally be conducted within three working days.

(2) If on re-inspection, the defects pointed out earlier are found to persist, the licensee shall again record the facts in the format given in **Annexure - 6** to the Code and the application form shall then stand lapsed, and the same shall be intimated to the consumer through electronic mode.

(3) The applicant shall be informed of the result through e-mail with copy of the report of re-inspection uploaded on the online application/ service portal, and the refundable charges and deposits shall be refunded within seven days.**".**

32. Amendment of Regulation 80.—For Regulation 80 of the Code,—

(i) in sub regulation (1), for the words "an officer designated by", the words "to the IGRC of" shall be substituted.

(ii) in sub regulation (2), for the words "appellate officer", the words "IGRC/ appellate officer" shall be substituted.

33. Amendment of Regulation 81.—In Regulation 81 of the Code,—

(i) in the marginal heading, before the words "Sanction of load and issuance of demand note," the word "Final" shall be inserted;

(ii) for the words "determined in accordance with **Annexure - 7** to the Code or the load applied for, whichever is higher", the words "as per the test cum completion report" shall be substituted;

(iii) for the words "demand note" the words "final demand note" shall be substituted;

(iv) for the words "remit the recoverable expenditure" the words "remit the final recoverable expenditure" shall be substituted;

(v) in the heading for the words "Table -1 Timeline for issuance of demand note", the words "Timeline for issuance of final demand note for per kVA/ kW rate consumers and demand note for consumers under Regulations 36, 37 and 49(1) of the Code" shall be inserted;

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(vi) in the first proviso for the words "seven working days" the words "three working days" shall be substituted.

34. Amendment of Regulation 82.—In Regulation 82 of the Code,—

(i) for the words "cost data" occurring in the marginal heading and sub-regulation (1) the words "cost data/per kVA/kW rate" shall be substituted;

(ii) in sub regulation (3), clause (iv) shall be omitted.

35. Amendment of Regulation 83.—In Regulation 83 of the Code,—

(i) in sub regulation (2), for the words "cost data" the words "cost data specified for the consumers under Regulation 36, 37 and 49(1) of the Code" shall be substituted;

(ii) in sub regulation (3), for the words "cost data" the words "cost data specified for the consumers under Regulation 36, 37 and 49(1) of the Code" shall be substituted.

36. Amendment of Regulation 85.—In Regulation 85 of the Code,—

(i) in sub regulation (1), for the existing table, the following Table and Explanation shall be substituted, namely:—

Sl. No.	Particulars	Maximum time
(i)	Raising demand for consumers except for those under Regulation 36, 37 and 49(1) of the Code, who are submitting applications for service connection through online mode	Within 24 hours itself through electronic mode
(ii)	Inspection of the premises of the applicant and preparation of the cost estimates, and issuance of demand note including security deposit, for the consumers those under Regulation 36, 37 and 49(1) of the Code	15 days from the date of receipt of application form
(iii)	Giving the connection, where extension or augmentation of distribution system is not required	7 days from the date of receipt of application, in the case of application mentioned in sl. no. (i) above.
		One month from date of receipt of application for difficult areas and applications covered under sl. no. (ii) above.

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Explanation:

The above timeline shall be applicable for the cases where extension or augmentation of the distribution system is not required. Where extension or augmentation of the distribution system is required, the licensee shall intimate the consumer through online modes regarding the time frame in providing the service connection as per the timeline specified for such works in sub regulation (2) below.

(ii) in sub-regulation (3) in the second proviso to clause (a), for the words "power intensive unit irrespective of its load requirement" the words "power quality impairing units requiring dedicated feeder" shall be substituted.

37. Amendment of Regulation 89.—In Regulation 89 of the Code, in sub regulation (2) for the words "in the local office of the licensee" the words "through online mode" shall be substituted.

38. Amendment of Regulation 90.—In Regulation 90 of the Code, sub regulation (1) for the words "in the forms" the words "through online mode in the forms" shall be substituted.

39. Insertion of new Regulation 90 A.—After Regulation 90 of the Code, the following Regulation shall be inserted, namely:—

"90A. Installation of Electric Vehicle (EV) Charging Outlets for Multi-storey Buildings and domestic consumers.—(1) The size of the EV charging outlets provided shall be as follows:

(i) capacity of single-phase EV chargers shall be limited to 3.3 kW;

(ii) EV chargers above 3.3 kW should be connected through three phase system only;

(iii) The total capacity of the EV chargers shall not exceed 50% of the capacity of the connected distribution transformer installed by the consumer;

(iv) All the EV chargers should have proper harmonic filters to prevent entry of undesirable harmonics into the distribution system;

(v) Socket-outlet of electric vehicle charging points shall be installed at least 800 millimeter above the finished ground level;

(vi) The distance between the charging point and the connection point on the electric vehicle shall not be more than five meters.

(2) For domestic consumers, an EV charging outlet of capacity up to 8 kW can be provided from the consumer installation, subject to the condition that the capacity of the EV charger shall not exceed 50% of the approved connected load of the consumer:

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Provided that, in the case of existing domestic consumers, if the charger capacity is less than 50 % of the connected load, enhancement of connected load is not required:

Provided further that, such consumers shall provide details of the EV installation to the concerned office of the licensee for information and monitoring and the same shall not be considered as unauthorised additional load:

Provided also that, if the EV charger capacity is more than 50 % of the connected load of the domestic consumer, enhancement of the connected load complying due procedure is required:

Provided also that, such EV charger outlets shall not be normally operated during 06:00 p.m. to 11:00 p.m:

Provided also that, EV charger outlets can be allowed during peak time, if the consumer opt for ToD tariff.

(3) In the case of a new building with multiple occupants, including high rise buildings individual charging points, one for each, subject to sub regulation (1) and (2) above can be provided near to their designated car parking space from their installation after the respective metering point, complying with the provisions of the Central Electricity Authority (Measures relating to safety and Electric supply) Regulations, 2023, as amended from time to time:

Provided that EV Fast charging outlets with separate energy meter shall be provided in the building, connected to the common service consumer installation of the building, enhancing the connected load/contract demand of the common service consumer as per the regulations, as required to cater the load of the outlets:

Provided further that, buildings with rising mains and having floor wise metering as stipulated in Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2023, EV charging for individual car parks may be provided through a common meter and distributed to each point. The charges for individual charging points shall be managed through appropriate mobile app operated by authorized residents' welfare association.

(4) In the case of existing building with multiple occupants, including high rise buildings, depending upon the spare capacity available in the distribution transformer, two or more EV charging outlets can be provided in the common area complying with the provisions of the Central Electricity Authority (Measures relating to safety and Electric Supply) Regulations, 2023, for all the consumers in the building:

Provided that the charges for such points shall be managed through mobile app operated by the authorized residents welfare association.

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(5) For all other category of consumers, EV outlets may be connected to the installation, only after the approval of the licensee and complying with the due process for sanctioned additional load.".

40. Amendment of Regulation 91.—In Regulation 91 of the Code, in sub regulation (2), for the words "by filing an application in the format specified" the words "through online mode as per the format specified" shall be substituted.

41. Amendment of Regulation 93.—In Regulation 93 of the Code,—

(i) in sub regulation (1), for the words "in the format given" the words "through online web portal as per the format specified" shall be substituted;

(ii) in sub regulation (2), for the words "application form" the words "online application" shall be substituted.

42. Amendment of Regulation 95.—In Regulation 95 of the Code, in sub regulation (2),—

(i) for the words "in the local office of the licensee" the words "through the web portal of the licensee" shall be substituted;

(ii) the following proviso shall be inserted, namely:—

"Provided that, the time frame for shifting the electric line or electrical plant shall be as per the timeline specified in Regulation 85 of this Code.".

43. Amendment of Regulation 99.—In Regulation 99 of the Code,—

(1) in sub regulation (1),

(i) for the words "in the form" the words "through online web portal as per the format" shall be substituted;

(ii) the following provisos shall be inserted, namely:—

"Provided that, during the pendency of the application for enhancement of load submitted by a consumer, the consumer shall not be penalized for 'unauthorised additional load', if the consumer has taken due steps such as; remittance of fees/costs as required by the licensee, submission of scheme/energization approval of the installation by the Electrical Inspector etc., to avail power for the additional load and in the cases where regularization is not done due to the delays attributable to the licensee:

Provided further that consumers under demand based tariff requiring addition/ modification in connected load without any change in contract demand shall submit an application with the energization approval of the Electrical Inspector/completion certificate issued by the authorized contractor and wireman, as applicable, and the licensee shall update the records accordingly and such load shall deemed to be approved without any further action to be

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taken by the consumer and sub regulations hereunder shall not be applicable to the said applicant.";

(iii) for sub regulation (4) the following sub regulation shall be substituted, namely:—

"(4) The application for enhancement of connected load in case of connected load based billed consumers and contract demand in case of demand based consumers shall not be considered, if the consumer is in arrears of payment of the dues payable to the licensee:

Provided that the disputed amount under the active consideration of any judicial/appellate forum shall not be treated as arrears for the purpose of enhancement/regularization of connected load or contract demand:

Provided further that the request of the consumer for regularization of the unauthorised additional load, shall not be rejected, even if the dispute is pending for finalization.".

44. Amendment of Regulation 100.—In Regulation 100 of the Code in sub regulation (3), for the words "in the form" the words "through online web portal of the licensee as per the format" shall be substituted.

45. Amendment of Regulation 103.—In Regulation 103 of the Code, in sub regulation (3), the following proviso shall be inserted, namely:—

"Provided that the licensee shall submit a revised format of agreement for HT/EHT consumers (Annexure 13) and for LT demand based consumes, incorporating the required modifications and provisions for ease of doing business, within three months for the approval of the Commission.".

46. Amendment of Regulation 109.—In Regulation 109 of the Code, for sub regulation (6) the following, sub-regulation shall be substituted, namely:—

"(6) In the case of multi-storied buildings having height of above 15m, the energy meters may be fixed as per Regulation 38 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2023:

Provided that the location of the meter should be got approved by the Electrical Inspector/Licensee:

Provided further that any deviations in the location of the meters should be got authenticated from the Electrical Inspector as per the provisions in sub regulation (2) of Regulation 136 of the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2023.".

47. Amendment of Regulation 117.—In Regulation 117 of the Code, in sub regulation (1) the following proviso shall be inserted, namely:—

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"Provided that, if on inspection it is found that the meter is defective, the distribution licensee shall replace the meter within 72 hours from the time of detection of the defect.".

48. Amendment of Regulation 118.—In Regulation 118 of the Code, in sub regulation (2),—

(i) for the words "previous billing cycle" the words "previous three billing cycles" shall be substituted;

(ii) the following proviso shall be inserted, namely:—

"Provided that, if a Renewable Energy (RE) meter is defective or damaged, the RE generation shall be taken as specified in sub regulation (5) of Regulation 125 below.".

49. Amendment of Regulation 119.—In Regulation 119 of the Code, in sub regulation (3) for the words "previous billing cycle" the words "previous three billing cycles" shall be substituted.

50. Amendment of Regulation 122.—In Regulation 122 of the Code, in sub regulation (3) for the word "email" the words "email or any other communication system" shall be substituted.

51. Amendment of Regulation 123.—In Regulation 123 of the Code, in sub regulation (1), the following proviso shall be inserted, namely:—

"Provided that, the licensee shall provide on the online web portal or mobile app or chat bot, the facilities for the consumers/prosumers to view and/or download the detailed bill indicating; the detailed methodology/steps for calculation of the energy charges based on the slab wise tariff, fixed charge, surcharge, energy injection, details of arrears/previous period charges/adjustments etc.".

52. Amendment of Regulation 125.—In Regulation 125 of the Code, after sub regulation (4) the following sub regulation shall be inserted, namely:—

"(5) In case where the RE meter is faulty or defective, the RE generation shall be assessed in the following sequence:—

(i) Based on the data available in the RE inverter provided in the installation;

(ii) If (i) above is not available, based on the average of the generation during the same month/s in the previous year;

(iii) If (i) and (ii) above are not available, based on the available generation per kW per day for the last six months.".

53. Amendment of Regulation 129.—In Regulation 129 of the Code, for sub regulation (1) the following sub regulation shall be substituted, namely:—

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"(1) The distribution licensee shall provide to the consumers, the facility to make advance payment of electricity charges, limited to a period of one year from the date of request of the consumer, on an application given in the format specified in Annexure - 17.".

54. Amendment of Regulation 136.—In Regulation 136 of the Code, for sub regulation (5) the following sub regulation shall be substituted, namely:—

"(5) The licensee may formulate schemes for one-time settlement of long pending arrears and implement the schemes, with intimation to the Commission.".

55. Amendment of Regulation 137.—In Regulation 137 of the Code,—

(1) in sub regulation (1),—

(i) the words "or electronic payment modes such as bank transfer, online payment, UPI payment etc." added at the end;

(ii) in first proviso for the words "twenty thousand rupees" the words "one thousand rupees" shall be substituted.

(2) sub regulation (2) shall be omitted.

56. Amendment of Regulation 138.—In Regulation 138 of the Code, in sub regulation (1), in clause (k) for the words "other than the ones authorized by the licensee" the words "affecting, the quality of power supplied or the infrastructure equipments owned by the licensee" shall be substituted.

57. Amendment of Regulation 139.—In Regulation 139 of the Code, in sub regulation (1) the following proviso shall be inserted, namely:—

"Provided that the licensee shall remind the consumer on disconnection, through SMS/ email/voice blasting/notice/intimation, within 48 hours and not less than 12 hours of the intended disconnection.".

58. Amendment of Regulation 145.—In Regulation 145 of the Code, in sub regulation (1) for the words "for the same" the words "for the same through the online web portal of the licensee" shall be substituted.

59. Amendment of Regulation 147.—In Regulation 147 of the Code, in sub regulation (1) for the words "twenty four hours" the words "six office hours" shall be substituted.

60. Amendment of Regulation 152.— In Regulation 152 of the Code,—

(i) in sub regulation (2), the following provisos shall be inserted, namely:—

"Provided that a site mahazar detailing the anomalies shall be prepared by the Inspecting Officer and the provisional bill for the short collected period shall be issued to the consumer. The licensee shall follow the due procedures for ensuring natural justice such as; hearing the consumer, issuance of provisional

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bill before finalization of the assessment bill etc., following the procedures specified in Regulation 157 of the Code;

Provided further that the provisional bill shall only be finalized by the licensee after giving a reasonable opportunity of hearing of the consumer;

Provided also that the licensee may finalize the final assessment bill through the appropriate IGRC, if necessary.";

(ii) in sub regulation (3),—

(a) the existing first proviso shall be omitted;

(b) in the existing second proviso the word "further" shall be omitted;

(c) in the existing third proviso for the word "also" the word "further" shall be inserted.

61. Amendment of Regulation 153.—In Regulation 153 of the Code,—

(i) in sub regulation (1), for the words "sanctioned load" the words "contracted connected load" shall be substituted;

(ii)in sub regulation (2), for the words "sanctioned load" the words "contracted connected load" shall be substituted;

(iii) in sub regulation (3), for the existing proviso the following proviso shall be substituted, namely:—

"Provided that the rated capacities of the equipment and apparatus connected to the UPS/SMPS/voltage stabilizer/inverter/rectifier shall be considered for computation of the connected load, subject to the limit of the rated capacity of the UPS/inverter/SMPS/rectifier etc.";

(iv) in sub regulation (5), for the words "sanctioned load" occurring at both the places, the words "contracted connected load" shall be substituted;

(v) for sub regulation (7) the following sub regulation shall be substituted, namely:—

"(7) If it is found that any additional load has been connected by a demand based billed consumer without due authorization or without due intimation to the licensee as applicable under proviso to sub regulation 99(1) of this Code or in violation of any of the provisions of the Central Electricity Authority (Measures relating to safety and electric supply) Regulations, 2023, as amended from time to time, the licensee shall direct the consumer to disconnect forthwith such additional load and the consumer shall comply with such direction, failing which the supply of electricity to the consumer shall be disconnected by the licensee.";

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(vi) in sub regulation (9), for the words "in the agreement within a time frame as stipulated by the licensee" the words "under Regulation 99 of the Code" shall be substituted;

(vii) in sub regulation (11), for the word "unauthorised" the word "additional*"* shall be substituted;

(viii) in sub regulation (12), for the word "unauthorised" the word "additional*"* shall be substituted;

(ix) in sub regulation (13), the word "unauthorised" shall be omitted.

* The Hon'ble Supreme Court in the Judgment dated 16.11.2022, in Civil Appeal Nos. 9235 to 9253 of 2022 has declared Regulation 153(15) of the Kerala Electricity Supply Code, 2014 invalid being inconsistent with the provisions of Section 126 of the Electricity Act, 2003.

62. Amendment of Regulation 154.—In Regulation 154 of the Code, in sub regulation (1) after the first proviso the following proviso shall be inserted, namely:—

"Provided further that, the electrical power loads of Nano household units can be connected to the domestic installation under the domestic tariff, subject to the condition that the installation does not exceed the limit for the connected load specified for; Nano household units and the supply voltage levels specified in Regulation 8 of this Code.".

63. Amendment of Regulation 155.—In Regulation 155 of the Code, in sub regulation (6) the following provisos shall be inserted, namely:—

"Provided that the use of additional load of demand based billed consumers detected under sub regulation (10) of Regulation 153 shall be penalized for the portion of the demand recorded in the meter which can be reasonably attributable to the additional load detected:

Provided further that the licensees shall formulate a methodology for the same and submit to the Commission within six months from the date of notification of these amendment regulations.".

64. Amendment of Regulation 158.—In Regulation 158 of the Code, in sub regulation (17) for the words "FBIL+200 base points" the words "Bank rate +200 base points" shall be substituted.

65. Amendment of Regulation 163.—In Regulation 163 of the Code, for sub regulation (3) the following sub-regulation, shall be substituted, namely:—

"(3) The compounding of the offence shall be permitted only on deposit or payment of the sum of money assessed at the rates specified in Section 152(1) of the Act or at the rates notified by the State Government.".

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66. Substitution of new regulation for Regulation 164.—For Regulation 164 of the Code the following Regulation shall be substituted, namely:—

"164. Intimation by consumer of a tampered meter.—In case a consumer informs tampering of meter in his premises:—

(i) The authorized person of the licensee shall visit the site immediately and inspect the meter and seals. If tampering is confirmed the supply shall be disconnected as per Regulation 138(1) and site mahazar shall be prepared;

(ii) The tampered meter shall immediately be replaced with a correct meter by the licensee at the cost of the consumer and site mahazar shall be forwarded to the assessing officer for assessment of amount to be realized from the consumer;

(iii) The assessment of such amount shall be done by the assessing officer in accordance with the procedure specified in Regulation 155;

(iv) The licensee shall reconnect the supply on payment of such amount assessed under clause (iii) above, by the consumer;

(v) In case of default in payment, the proceedings against theft under Section 135 of the Act shall be initiated;

(vi) The licensee shall not initiate proceedings under Section 135 of the Act, in case the consumer pays the assessed amount within the time stipulated by the licensee;

(vii) The opportunity for voluntary declaration of tampered meter shall be given only once to any consumer.**".**

67. Insertion of Annexure.—After Annexure 22 attached to the Code, the following Annexure shall be inserted, namely:—

"Annexure -23

Single point supply and sharing of electricity charges

[*See* Regulation 56 (11)]

(1) The consumer will be known as Single Point Supply Consumer (SPSC). The individual consumers in the building/project shall be known as sub consumers, and will be provided with a consumer number synonymous to the SPSC entity.

(2) The licensee may provide single point supply to the following premises with multiple beneficiaries subject to the conditions specified hereunder:—

(i) Multi- storied buildings;

(ii) Colonies developed by any development authority or private builder or developer;

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(iii) Domestic or commercial or industrial complex or mix up of commercial and residential complexes;

(iv) residential complex constructed by any employer for his employees or by a panchayat or a cooperative society or a registered association of beneficiaries.

(3) Conditions for single point supply,—

(i) The distribution licensee shall provide connectivity/power supply for the project at a single metered point, to enable the consumer (SPSC) to supply power to its beneficiaries in the premises (sub consumers) as mutually agreed by the licensee and the SPSC. Contract Demand may be, the cumulative sum of requirements of all the individual beneficiaries assessed as per the statutes and prudent practices or as mutually agreed.

(ii) The consumer shall bear the expenditure for constructing, building, augmenting, and maintaining the distribution system, within the consumer premises. The distribution system shall be as per the relevant standards and specifications of the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2023, as amended from time to time, the National Electrical Code, and the Kerala Electrical Inspectorate requirements.

(iii) In the case of an HT SPSC, permission will be given to distribute electricity at low voltage within the premises, irrespective of the provisions under Regulations 8 & 11 of the Supply Code, on voltage level of supply based on connected load/ contract demand of the individual consumers, provided the installation conforms to the Construction and Safety Standards/Regulations of CEA and approved by the Electrical Inspector.

(iv) The sub consumers within the SPSC installation shall be provided with a consumer number/code synonymous with the SPSC and the details shall be provided to the licensee for records. In case of default or non performance by the SPSC, the licensee shall take over the installation without any compensation and continue to supply power to the sub consumers within the premises as consumers of the licensee.

(v) It may not be practical to install all the sub consumer meters at one location of the project, in cases where the individual consumers are located far away or the internal distribution is done through rising mains/bus bars. In such cases, multiple metering locations may be permitted ensuring proper sealing of the main distribution system against pilferage/theft of energy. In such cases, IT based monitoring system indicating the simultaneous input energy and cumulative consumption, may be provided in the main switch room of such SPSC for ensuring that no pilferage of energy other than losses occurring in the system.

(vi) In the case of indoor installation, the consumer shall provide at his expense, a locked enclosure of a design approved by the Electrical Inspector for housing the metering equipment. In the case of outdoor metering installation, a fenced enclosure, as

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specified by the distribution licensee, with lock and key for housing the metering equipment shall be provided by the consumer. The metering equipments and accessories shall be located at a place having 24 hours access for the licensee officials, for the purpose of inspecting, testing and maintenance of its apparatus. In no case, the consumer shall have physical access to the metering equipment except in the presence of the officials of the distribution licensee. Denial of access to the metering premises for the distribution licensee officials by the consumer or his representatives shall be dealt with as per the provisions contained in the Kerala Electricity Supply Code and the Act.

(vii) The accuracy class of the meters to be installed shall be as per the standards specified in the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time and the Kerala Electricity Supply Code.

(viii) Back up/Emergency Power system in the project, if any, shall be connected, after the individual sub consumer meters only, through proper changeover system preventing back feeding. Otherwise, energy meters with facility to record the energy supplied from dual sources (Normal Grid Supply/Generator Supply) separately shall be installed to record the individual sub consumer consumption.

(ix) The billing of the single point consumer and the sub consumers (beneficiaries) shall be done based on the tariff fixed by the Commission in the Tariff Order for the relevant period, for the respective consumer or consumer group/class/category, as applicable.

(x) The procurement and installation of the energy meters shall be in consultation with the licensee and as per the regulations specified in the Kerala Electricity Supply Code.

(xi) The SPSC shall remit the charges for the entire electricity availed at the single point supply, as per the bill prepared by the licensee within such time as indicated in the bill. Nonpayment of electricity charges by any of the beneficiaries to the SPSC shall not be a reason for non-payment of electricity charges by the SPSC to the licensee.

(xii) The payment of bills, disconnection, reconnection, termination of agreement etc. of SPSC shall be as per the relevant provisions of the Kerala Electricity Supply Code.

(xiii) The SPSC, before energizing the sub consumer connections shall furnish to the licensee, the complete technical/commercial details of transaction of energy to the individual beneficiaries including the common service. The same shall include details of the individual beneficiaries (sub consumers), such as connected load, contract demand, tariff applicable etc. of the beneficiaries and that of common services in the format specified by the licensee.

(xiv) The energy supplied to the beneficiaries and for the common purpose shall be ascertained by meters installed by the SPS consumer and kept in good condition in

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their premises and conforming to the standards prescribed in the relevant regulations. SPSC shall ensure that the energy meters installed to the sub consumer premise shall be tested and calibrated in NABL accredited laboratory. There shall be a provision to disconnect power to each and every beneficiary in the single point supply project separately and the licensee shall have free access to all the individual sub meters.

(xv) The percentage loss permissible within the project distribution system will be fixed annually, if necessary, taking into consideration the distribution infrastructure, transformer losses, metering accuracy/error, location of the meters, differences in the maximum demands etc., by the licensee in consultation with the SPSC, so that the individual sub consumer consumption sum matches with the SPSC meter consumption after accounting the losses.

(4) Tariff of Single point consumer.—

The tariff applicable to the single point supply projects shall be as per the methodology determined by the Commission based on the following principles:—

(i) The general tariff applicable to the SPSC shall be specified by the Commission in the relevant tariff orders or specific orders issued in this regard. The tariff may be fixed to the SPSC depending on the predominant nature of the project, such as; Domestic, Commercial, Industrial, Others etc. The type/category will be fixed by the licensee considering the number of consumers in each category, their connected load, consumption etc. in the project. The tariff shall be two parts with fixed and variable charges applicable for each category. The charges to be collected by the SPSC from the sub consumers shall be based on the tariff orders of the Commission and the tariff category of each sub consumer.

(ii) The SPSC will be eligible for a maximum of 2% of the bill amount (excluding the Electricity duty, surcharge, and penalty) prepared by the licensee, to compensate for the transformation and distribution losses within the distribution system up to the individual sub consumer metering point. In addition, the SPSC will be allowed 1% of the bill amount (excluding the Electricity duty, surcharge, and penalty) prepared by the licensee, for compensating the commercial losses and for the O & M expenses of the distribution system of the project.

(iii) The licensee shall bill the SPSC for the electricity consumed based on the reading taken from the main meter, during the billing cycle at the tariff rate. The bill raised by the licensee shall indicate the deduction applicable to the SPSC for the eligible distribution and commercial losses and O & M expenses, limited to 3% of the original bill amount and the net amount to be paid by the SPSC to the licensee will be indicated. The SPSC has to remit the net bill amount issued by the licensee within the due date.

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(iv) The representative of the SPSC shall record the consumption of the sub consumers within the project on the same day and time, the licensee takes the main meter reading. SPSC shall prepare the bill based on these readings and issue the electricity bill applicable to the individual sub consumers within three (3) days and the sub consumers shall remit the payment within the due date to the account of the SPSC. The SPSC shall maintain a separate bank account for receiving the payments from the individual sub consumers and to make the payment to the licensee.

(v) The licensee shall include in the monthly bill, the electricity duty at the rate applicable to the SPS consumer as per the Kerala Electricity Duty Act and the SPSC shall pay the electricity duty raised by the licensee along with the monthly payment. The bills issued to the sub consumers within the project should also include the electricity duty separately at the rates applicable to the SPSC sub consumer. The difference in the duty amount, if any, may be accounted to the account of the common services sub consumer.

(vi) The meter rent shall be collected by the entity who has installed the meter as per the provisions in the Kerala Electricity Supply Code and at the rates specified in the tariff order or other applicable orders.

(vii) The fixed/demand charge for the SPSC shall be based on the recorded demand or 75% of the contract demand whichever is higher, at the rates fixed in the tariff order. The sub consumers will be charged for the fixed/ demand charge based on their connected load/contract demand.

(viii) The fixed/demand charges and variable charges billed by SPSC from the sub consumers and the amount remitted to the distribution licensee are to be reconciled every year and the net surplus/deficit amount after retaining 2%, is to be adjusted within three (3) months.

(ix) Every month, the SPSC shall provide within ten (10) days of issuance of the monthly bills, a detailed account of the bills raised to the individual sub consumers in the project, indicating the total billed amount, fixed charges, variable charges, the applicable losses and O&M expenses, electricity duty collected etc. and the net amount (+/-) with respect to the bill raised by the licensee.

(x) The SPSC should remit the Cash Security Deposit (CD) and the ACD as demanded by the licensee as per the regulations/orders issued from time to time. The SPSC may collect such amount from the sub consumers in proportion to the connected load/contract demand of the individual consumers, at the rates charged by the licensee to the SPSC. The SPSC should maintain records of the CD/ACD remitted by each of the sub consumers and the accounts shall be updated as and when required. The statement of this account shall be provided to the licensee annually for information.

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(xi) Further, any additional demands/surcharges raised by the licensee as per regulations/rules shall be paid by the SPSC and the SPSC may recover the same from the sub consumers as and when the same is raised by the licensee.

(xii) Any penal charges including late payment fees etc. has to be borne by the SPSC. If any sub consumer default in the payment of the electricity bills raised by the SPSC, the SPSC will be eligible to realize from the sub consumers, the surcharge at the applicable rates as per the Kerala Electricity Supply Code, and shall be accounted by the SPSC.

(5) Providing service connection to individual consumers of single point consumer.—

(i) The SPSC shall maintain and upkeep the distribution network within the premises so as to comply with the standards specified in the 'Standards of Performance Regulations, 2015', as amended from time to time (applicable to the licensee).

(ii) The SPS consumer shall release new connections to the applicants in the project within the time limit specified in Regulation 85 of this Code.

(iii) The licensee shall have all the right to enter into the premises for inspection of the network and records and ensure that the network conforms with the applicable safety regulations and the charges levied from the sub consumers are as per regulations. The single point consumer shall be responsible for the operation and maintenance of; the plant, equipment, lines, and cables, installed by him. The maintenance of the internal distribution network and providing services to individual beneficiaries and for common service shall be the responsibility of the consumer.

(iv) If a beneficiary desires to take supply from the licensee directly, the SPS consumer shall allow the licensee to use the internal distribution network laid out by the SPS consumer in the project, for providing supply directly to such beneficiary owning or occupying any unit within the project of the SPS consumer, including the modifications required:

Provided that, the maintenance of internal network (transformer, lines, cables etc.) after the metering point of the SPS consumer shall still be the responsibility of the SPS consumer itself:

Provided further that, the energy availed by such individual beneficiary (direct consumer of the licensee) will be adjusted in the billing:

Provided also that, the beneficiary in default of payment of any charges related to supply of electricity will not be eligible for such switch over.

(6) Dispute Resolution Mechanism.—

(i) The dispute between the Single Point Supply Consumer and the distribution licensee may be settled mutually as per the provisions of the Kerala Electricity

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Supply Code. If the disputes are not settled within the licensee, the SPS consumer can approach the appropriate forum for redressal of the grievances.

(ii) Dispute between the beneficiary (sub consumer) and the Single point supply consumer.

a) The dispute on account of new connection/ additional load/ quality of service or any related matter shall primarily be referred to the licensee. The licensee shall resolve the same timely, after due inspection/ verification and analyzing the issue technically and commercially, and arriving at a prudent/viable solution as per the provisions of the Code.

b) However, if the SPSC or the sub consumer are not satisfied with the decision of the licensee, they may approach the appropriate forums for legal remedy.

c) Metering/Billing related complaints of beneficiaries shall be settled by the SPS consumer itself. Otherwise, the individual beneficiaries can approach the licensee and then to the appropriate legal forums.

d) Any unlawful action including theft or mal practice by the consumer or by any of the beneficiary within the consumer premises will lead to penal consequences contemplated under section 126 and/or 135 of the Electricity Act 2003.**".**

By order of the Commission,

C. R. SATHEESHCHANDRAN,
Secretary.

Explanatory Memorandum

(This does not form part of the notification, but is intended to achieve the general purport.)

1. Section 50 of the Electricity Act, 2003 (Central Act 36 of 2003) stipulates State Commission shall specify an electricity supply code to provide for recovery of electricity charges, intervals for billing of electricity charges, disconnection of supply of electricity for non-payment thereof, restoration of supply of electricity; measures for preventing tampering, distress or damage to electrical plant, or electrical line or meter, entry of distribution licensee or any person acting on his behalf for disconnecting supply and removing the meter; entry for replacing, altering or maintaining electric lines or electrical plants or meter and such other matters. Accordingly, the Commission had notified the Kerala Electricity Supply Code, 2014 on 31st January, 2014. The Kerala Electricity Supply Code, 2014 was amended four times in 2015, 2016, 2017 and 2020. Further, Kerala Electricity Supply Code (Removal of Difficulties) Orders were notified seven times in 2014 (4 orders), 2015 (2 orders) and 2016 (1 order).

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2. The Government of India, Ministry of Power, has issued the Electricity (Rights of Consumers) Rules, 2020, to ensure timely provision of services and penalize service providers for consumer rights violations. The rules aim to make Distribution Companies (DISCOM) more consumer-friendly by simplifying and digitizing processes like metering, billing, payment, disconnection, reconnection, supply reliability, compensation mechanisms, and call center services. Clause 4(13) of these rules allows commissions to set connection charges based on load, connection category, and average cost to avoid individual inspections and charge estimations. Stakeholders have reported inconsistencies in service connection costs and delays in procedures.

3. Government of Kerala, Power Department, as part of ease of doing business has requested the Commission that service connection agreement may be dispensed with for LT consumers and to include an undertaking in the application form itself in case of Industrial/HT/EHT consumers. Further, Industries and Norka Department of Kerala has requested before the Commission to permit Nano household units to consume electricity at Domestic tariffs by revising Kerala Electricity Supply Code, to pave way for a conducive environment that encourages home business in the State.

4. The Commission has noted that power allocation applications for consumers with higher connected loads are pending due to transmission and distribution system constraints. If consumers having a load/demand above 20 kW inform the licensee about their power requirements in advance, after obtaining building permits and providing preliminary load details and timelines, the licensee can develop the necessary infrastructure on time.

5. Central Electricity Authority has repealed the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2010 and notified the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2023 on 8th June, 2023. Consequently, the Government of Kerala revised supply voltage, capacity, connected load conditions, and inspection intervals for electrical installations as per the Power Department's order dated September 18, 2023.

6. Stakeholders have raised clarifications to the methodology to be adopted in the meter fault cases of Solar Meters. Regulation 56 outlines single point supply and electricity charge sharing but lacks detailed procedures, which are now provided in Annexure 23 to the Code.

7. To address fossil fuel dependence in Kerala, the government has introduced an Electric Vehicle policy, which includes familiarizing public about the e-mobility aspects, promoting e-vehicles in public transport, promoting electric vehicles etc. In the above circumstance, the procedure to be followed for installation of Electric Vehicle charging outlets for the existing and new Multi storied buildings and for domestic consumers has been incorporated in the Code.

8. New regulations have been added to prevent inappropriate assessments and penalties for additional connected loads for demand-based consumers, addressing unjust applications of Sections 126 and 127.

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9. To address the matters indicated above, the Commission has published the Draft Kerala Electricity Supply (Fifth Amendment) Code, 2024 on 17th January, 2024, for inviting stakeholder comments and objections. To enhance transparency and improve informed stakeholder participation the Commission has also published detailed explanatory memorandum along with the draft Fifth Amendment Code, 2024, which details the facts and circumstances led to the publication of the draft amendment. Further, the Commission conducted public hearing on the draft Fifth Amendment Code, 2024 on 19.03.2024 through hybrid mode. After considering all the suggestions and objections received from the stakeholders, the Commission approved the Kerala Electricity Supply (Fifth Amendment) Code, 2024 and decided to publish the approved amendment in the Official Gazette. The Statement of Reasons for finalizing these amendments is published separately.

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