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BIHAR ELECTRICITY REGULATORY COMMISSION  
PATNA

#### NOTIFICATION

*The 16th August, 2010*

No. BERC-Regl.-6/06(Part-IV-I)-04-268—In exercise of powers conferred by section 181(1) and 181(2)(x) read with section 50 of the Electricity Act, 2003 and for removal of difficulties of various stakeholders, Bihar Electricity Regulatory Commission hereby makes the following amendment in Bihar Electricity Supply Code, 2007 which was originally issued vide Notification No. BERC/Regl-6/2006/529 dated 31<sup>st</sup> December, 2007.

#### **1st Amendment to Bihar Electricity Supply Code, 2007**

1. *Short title and commencement*—(i) This Code may be called the "Bihar Electricity Supply Code, 2007 (1<sup>st</sup> Amendment).

(ii) This shall come into force with effect from the date of publication in Bihar Gazette.

(iii) This shall apply to the whole of State of Bihar.

2. Amendment in Chapter-2 of the Code—In the Bihar Electricity Supply Code, 2007 (hereinafter called the Principal Code) the clause 2.1(j) of Chapter-2, the following shall be added at the end of the clause.

*"If the rating of the energy consuming device is in KVA, the same may be converted to KW by multiplying KVA with power factor of 0.9 and if the rating of energy consuming device is in HP it shall be converted into KW by multiplying HP by 0.746."*

3. *Amendment in Chapter-5 of the Code*—In the clause 5.6 of Chapter-5, the following shall be added

*"In case of replacement of defective / burnt meters and metering units, the provision as contained in clause 8.20 of Chapter – 8 of the Code shall apply."*

4. *Amendment in Chapter 6 of the Code*—In the clause 6.37 of Chapter-6, the Annexure 4 is amended as Annexure 4 and 4(1) as annexed.

5. *Amendment in Chapter-7 of the Code*—In the clause 7.10 of Chapter-7 a new clause as 7.10(a) shall be added as follows:

*"If a consumer wants to shift his electric connection to a new premises in the same billing area of the licensee, the same may be allowed subject to technical feasibility, payment of all dues, shifting cost and after completion of all formalities subject to the following conditions.*

- (i) that spare load is available on the distribution transformer.*
- (ii) that the existing load of the consumer does not exceed 5KW."*

6. *Amendment in Chapter-11 of the Code*—The clause 11.4 of chapter-11 shall be substituted by;

***"Voluntary Declaration of Tampered Meter***

*The licensee may launch area specific/whole of the area of jurisdiction of licensee, an Amnesty Scheme of Voluntary Declaration of Tampered Meter for a limited period not exceeding 15 days with the prior approval of the Commission.*

- (a) The period of voluntary declaration shall be circulated and widely published along with a format of application of voluntary declaration.*
- (b) During the specified period there will be no raid/inspection of the premises. However, consumers whose premises/meters have been checked by Vigilance Cell/concerned officer of the licensee and where meters have already been found to be tampered shall not be eligible under this scheme.*
- (c) The tampered meter/metering unit shall be replaced with a new meter by the licensee/consumer, as the case may be, within 15 days.*
- (d) The cost of the meter/metering unit will be borne by the consumer.*
- (e) The licensee shall raise half of the energy bill assessed in accordance with the provisions of section 126 of the Electricity Act, 2003 as per formula and procedure specified in Annexure-7 of the Supply Code. The consumer shall be provided by the licensee the sheet of calculation for the amount required to be deposited.*
- (f) The consumer shall pay the assessed amount in time. In case of default in payment action shall be initiated under provision 135 of the Electricity Act, 2003.*
- (g) The energy bill for the period from the date of voluntary declaration till replacement of meter shall be assessed as per procedure specified for defective meter on normal tariff rate.*
- (h) No case shall be lodged in case a consumer voluntarily declares the tampering of meter and pays the bill raised under (e) above.*
- (i) Such facility to a consumer shall be available for one time only."*

7. *Amendment in Annexure-7 for assessment in unauthorized use / theft of electricity*—Annexure-7 of the code is substituted as annexed.

By order of Bihar Electricity Regulatory Commission  
(Sd.) Illegible,  
Secretary.

Annexure – 4  
(See Clause 6.37)  
Determination of Connected Load  
*Domestic Connection*

1. Name of the consumer : \_\_\_\_\_  
 2. Address : \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Consumer Number (for existing connection) : \_\_\_\_\_  
 4. *Please fill-up the following table to enable determination of the connected load. All items of load shall be taken as per manufacturer's rating. In case of non-availability of the manufacturer's rating of any item, the load as shown in the Annexure – 4 (1) shall be considered.*

Sl.No.	Domestic appliance	Load of each appliance (in Watt)	No.	Total load (Watts)
1	2	3	4	5 (3x4)

Note:

- (a) Spare socket/points/holders shall not be counted towards connected load.  
 (b) Defective appliances like cooler, freeze, T.V., Iron, Oven, etc. which are not connected and not working shall not be taken into account.  
 (c) In some domestic connections Geyser, Room Heater and Air-conditioner (without heater) are installed. The load of Geyser(s) and Room Heater(s) shall be accounted for billing for the month of December, January & February and the load of Air-conditioner(s) (without heater) shall be taken into account for the month of April to September. The load of Air-conditioner(s) with heater(s) shall be accounted as connected load for full year.  
 (d) Subject to the minimum load of 1 kw, the fraction of the load below 500 Watts shall be rounded to its nearest lower level of whole number and 500 Watts and above shall be rounded to nearest higher level of whole number.  
 (e)

Signature of the consumer/His  
representative

Signature of the licensee's  
representative

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Place : \_\_\_\_\_

Place : \_\_\_\_\_

Annexure – 4 (1)  
Typical Power Rating for Domestic Appliances

Item	Power Rating
Bulb	as per actual rating
Tube light 2'4'	20/40 watt
Fan	60 watt
Tape-recorder/Music system	25 watt
Vacuum cleaner	250 watt / actual
Television–colour	100 watt
– Black & white	60 watt
Mixie	60 watt / actual
Freeze	200 watt or actual
Cooler	200 watt or actual
Heater (for cooking and water heating)	1000 watt / actual
Washing machine without dryer	250 watt or actual
Geyser	1500/4000 watt or actual
Microwave Oven	2000 watt
Air Conditioner (1 ton/1.5 ton/2.0 ton)	1500/ 2000/ 2250 watt or actual
Split Air Conditioner 1.5 ton / 2.0 ton	2250 watt / actual
Computer	100 watt
Printer	150 watt
Water lifting Pump set	375 watt or actual
Inverter	Nil

Note Bureau of Energy Efficiency, Ministry of Power, Govt. of India has specified the rating of various domestic appliances in terms of energy efficiency level (1 to 5 star) and such appliances have lower rating which shall be accepted.

**Annexure – 7**

[See Clause 11.1(b)(i) &amp; 11.2.3(b)(i)]

**Assessment of Energy Charges in Case of Unauthorised Use /Theft of Electricity**

Assessment of energy shall be done based on the following formula:

$$\text{Units Assessed } U = L \times F \times D \times H$$

Where:

- U = Quantum of Energy Assessed in Units  
 L = Connected Load in KW found at the time of inspection / raid at site  
 F = Load factor as per chart given below  
 H = Number of average hours of supply made available per day on the feeder supplying power to the consumer or person as the case may be.  
 D = Number of days during which unauthorised use of electricity has taken place. If the period during which such unauthorise use of electricity has taken place can not be ascertained, such period shall be limited to 12 (twelve ) months immediately preceding the date of inspection.

**LOAD FACTOR CHART FOR DIFFERENT CATEGORY OF SERVICES**

Sl. No	Category of Service	Load Factor ( F )
1	Domestic power consumer	0.30
2	Non-domestic consumer	0.50
3	Agriculture Consumer	0.30
4	LT Industrial Consumer	0.50
5	High Tension Consumer	0.75
6	Categories of consumers not covered above	0.50

In case of High Tension Supply, the Connected load L for the purpose of assessment of consumption (units assessed) shall be calculated as follows;

L (in kw) = Contracted demand, or actual recorded demand in KVA found at the time of inspection / raid or eighty percent of permissible transformer capacity whichever is higher x 0.90 (PF)

**(A) Assessment in Cases of Unauthorized Use of Electricity (UUE):**

1. The consumption so assessed as per  $L \times F \times D \times H$  formula and after deducting the units already billed / to be billed up to the date of inspection shall be charged at twice the applicable tariff rate for the relevant category of service. The amount billed at this rate shall not be taken into consideration for the purpose of computing consumer's liability to pay monthly/annual minimum charges, wherever applicable.
2. If the connected load of the consumer is found in excess of load contracted, then the fixed charge or the demand charge, as the case may be, shall also be charged for the excess load at twice the applicable tariff rate. The period for computation in such cases shall be as stated in 'D' above.
3. If the connected load of LT consumer is found in excess of contracted load and no tampering or bypassing of the meter or theft is detected and meter is found working satisfactorily, then in such cases the short fall in units in Monthly Minimum Consumption (MMC) in energy consumption, if any, and the fixed charge for the excess load detected during the inspection/raid shall be charged at twice the applicable tariff rate for the period stated in 'D' above.
4. In cases where fixed monthly tariff exist, monthly assessment shall be made at twice the normal rate for excess load.
5. (i) If it is found at any time that the energy supplied is used for a purpose on which higher tariff is applicable, the assessment shall be made for the entire period during which such unauthorised use of electricity has taken place and if however the period during which such unauthorised use of electricity has taken place cannot be ascertained such period shall be limited to twelve months immediately preceding the date of inspection. The total charges for energy consumption for such period shall be assessed on the basis of twice the difference of higher and lower tariff rates.

Provided that if it is found at any time that the energy supplied is used for a purpose on which lower tariff is applicable, it shall not be considered as UUE and no penal action will be taken.

- (ii) The calculations above are subject to the condition that meter is working satisfactorily, else, the energy will be calculated on the basis of  $L \times F \times D \times H$  formula as stated above.
6. If it is found at any time that the connection has been shifted to a premises or area other than for which supply of electricity was authorised, the assessment shall be made for entire period during such unauthorised shifting has taken place, however the period during which such unauthorised use of electricity has taken place cannot be ascertained shall be limited to 12 months immediately preceding the date of inspection. The assessment shall be made at the rate equal to twice the applicable tariff rate.

**(B) Assessment of Energy Charges in Cases of Theft of Electricity**

- (a) Assessment of energy in the cases of theft shall be calculated based on the same formula  $U = L \times F \times D \times H$
- (b) In case of theft as defined in section 135(1)(a) of the Electricity Act, 2003 F shall be taken as equal to 1 (100%).

- (c) The consumption so assessed after adjusting the energy consumption of the assessment period shall be charged at twice the tariff applicable for the relevant category of services for which load was found to have been used.

For demand charges, the maximum demand found at the time of inspection / raid at site or eighty percent of the permissible transformer capacity whichever is higher after, adjusting the KVA demand already billed or to be billed upto the date of inspection / raid, shall be charged at twice the applicable tariff rate.

- (d) The period for computation shall be taken as stated in 'D' above.

Note: In case of tampered meters, the inspecting authority shall book the Consumer under section 126 of the Electricity Act, 2003 for UUE only where such tampered meters are found in use, but there is no incriminating evidence available that implicate the consumer.

The inspecting authority shall book the consumer under Section 135 of the Electricity Act, 2003 only when incriminating evidence found implicate such consumer(s) dishonestly committing theft of electricity through tampered meters.

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