

F.No.10/03/2022-UR&SI-II-Part (4) (E-264599)
Government of India
Ministry of Power
Shram Shakti Bhavan, Rafi Marg, New Delhi

Dated: 26th August, 2022

To

1. ACS / Principal Secretaries / Secretaries (Energy/Power) of All States/UTs
2. CMDs and MDs of all DISCOMs
3. MDs of all IPPs
4. CMDs of NTPC, NHPC, DVC, SJVN, BBMB, THDC and NEEPCO
5. CMD, PFC
6. CMD, REC

Sub. : Implementation of the "Electricity (Late Payment Surcharge & related matters) Rules, 2022

Sir/Madam(s),

The LPS Rules 2022 provides for regulation of access to power in case of non-payment of dues, one month after the due date of payment or two and half months after the presentation of bill by the generating company, electricity trading licensee or the transmission licensee, as the case may be, whichever is later. As such, a period of 2.5 months is adequate enough to settle the regular bills by the distribution licensees. The over dues of prior period i.e. up to 3rd June 2022 are being liquidated through EMIs as per the Rules for which financial assistance is also available from REC/PFC/FIs/Banks.

2. Ministry of Power has already circulated the broad framework for implementation of the Rules vide letter F.No. 09/01/2021-UR&SI-II-Part(1)-(E-256003) dated 11th August 2022 (**copy enclosed**) and PFC has been designated as the Nodal Agency for implementation of Rules. Operationalization of rules is being done through an automated process using existing PRAAPTI Portal and POSOCO Portal by on boarding DISCOMs on the Portal.

3. In order to streamline the process of monitoring of payments of regular bills of suppliers by the DISCOMs and identifying defaults by the DISCOMs in payment of dues and consequent regulation of access to power as per the Rules, the following SOP is prescribed:

- I. Suppliers (CPSEs/IPP/REs/CTU) must update the details of invoices presented to DISCOMs on the PRAAPTI Portal within 5 days (including any holidays) of date of Invoice (DOI). The date of presentation of bill (DOP) to DISCOMs shall also be entered by the Generator on the portal, which shall form the anchor date in respect to determination of due date and default trigger date on the portal in line with provisions of the ibid rules.
- II. The portal will auto check this period of 5 days and suppliers shall not be allowed to update details of Invoices beyond this period in any case.
- III. An automated email would be sent to designated Email-ID of DISCOMs upon entry of any new invoice on the portal along with basic details of invoice including bill amount, bill due date and default trigger date.
- IV. The default trigger date shall be generated by the Portal as per the Rules on the basis of due date and date of presentation of bill.

contd...

- V. For the purpose of implementation of Rules, the dues would be considered as per Invoices updated by the suppliers on the portal which are not stayed by a competent court or Tribunal or dispute resolution agency as designated in the Power Purchase Agreement.
- VI. DISCOMs may provide their inputs regarding prima facie incompleteness, if any, against the Invoices updated by the Suppliers on the Portal with the approval of Competent Authority of DISCOMs (not lower than the Director level of DISCOM) within 10 days (including any Holidays) of date of updation of invoice on the portal. The inputs from DISCOMs should be brief and precise and to not exceed 150 words, for which the portal would have necessary checks.
- In such cases, an automated email would be sent to designated Email-ID of Supplier with details of inputs provided by the DISCOMs.
- In case, no inputs are provided by the DISCOMs within the above stipulated period, the details of invoices would be automatically frozen.
- VII. If required, the supplier would update the details of concerned Invoice within 10 days of inputs provided by the DISCOMs. An automated email would be sent to designated Email-ID of DISCOMs upon updation of invoice. After this period of 10 days, details of invoices would be automatically frozen on the Portal for all purposes.
- As such, details of the invoices would be frozen within maximum period of 25 days from the date of Invoice in all cases.
- VIII. Discoms shall be responsible for updation of payment details against the Invoices updated by the suppliers and information of payment available on the portal at 17:30 on the day just before the default trigger date shall be considered for regulation of access to power as per the rules, where ever applicable.
- IX. Payment status should be updated by Discoms on Portal in following manner :
- Discom has to certify that the invoice amount has been settled in full (payment amount may be different on account of various deductions inter-alia TDS, advance settlement, penalty, rebates etc.).
 - Discom has to input details of payments (UTR no., cheque no., date of payment etc.).
 - An automated email will be sent to Supplier on payment updation by Discom.

Encl: As above


26/08/2022

(Jamiruddin Ansari)
Deputy Secretary to the Govt. of India
Tel: 011-23352913

Copy to:

1. Chief Executive, IBA : For information of all Banks
2. Association of Power Producers : For information to all Generating company members
3. National Solar Energy Federation of India : For information of all Members
4. Indian Solar Manufacturers Association (ISMA) : For information of all Members
5. All India Solar Industries Association (AISIA) : For information of all Members
6. North India Module Manufacturers Association (NIMMA) : For information of all Members
7. Indian Electrical and Electronics manufacturers Association: For information of all Members
8. National Solar Energy Federation of India: For information of all Members
9. Solar Power Developers Association: For information of all Members

10. Distributed Solar Power Association (DiSPA) : For information of all Members
11. Indian Wind Power Association (IWPA) : For information of all Members
12. Indian Wind Energy Association (InWEA) : For information of all Members
13. Indian Wind Turbine Manufacturers Association (IWTMA) : For information of all Members
14. Wind Independent Power Producers' Association(WIPPA) : For information of all Members

Copy also to:

1. Sr. PPS to Secretary (Power)
2. PPS to JS(R&R)
3. PPS to JS(D)