



सरकारी गजट, उत्तराखण्ड

उत्तराखण्ड सरकार द्वारा प्रकाशित

रुड़की, शनिवार, दिनांक 05 अप्रैल, 2008 ई0 (चैत्र 16, 1930 शक सम्वत्)

भाग 1-क

नियम, कार्य-विधियां, आज्ञाएं, विज्ञप्तियां इत्यादि जिनको उत्तराखण्ड के राज्यपाल महोदय, विभिन्न विभागों के अध्यक्ष तथा राजस्व परिषद् ने जारी किया

Uttarakhand Electricity Regulatory Commission

NOTIFICATION

March 28, 2008

No. F-9(16)/RG/UERC/2008/ 1258 In exercise of powers conferred under section 181 of the Electricity Act, 2003, and all other powers enabling it in this behalf, and after previous publication, the Uttarakhand Electricity Regulatory Commission hereby makes the following regulations to amend the Uttarakhand Electricity Regulatory Commission (The Electricity Supply Code) Regulations, 2007 (Principal Regulations), namely :--

1. Short Title, Commencement and Interpretation :

- (1) These Regulations may be called the Uttarakhand Electricity Regulatory Commission (The Electricity Supply Code) (First Amendment) Regulations, 2008.
- (2) These Regulations extend to the whole of the State of Uttarakhand.
- (3) These shall come into force on the date of their publication in the official Gazette.

2. In Regulation 2.2 of the Principal Regulations:

- (1) After clause (2), the following shall be inserted, namely :-

- (2A) The Licensee shall examine the technical feasibility of the connection requested for and if found feasible, the licensee shall inspect and test the applicant's installation, as required of him under Rule 47 of IE Rule, 1956, in the presence of the applicant or his representative within 5 days from the date of receipt of the application form. Testing of installation shall be done as per procedure laid down in Rule 48 of IE Rules 1956 and the inspecting officer shall maintain a record of test results obtained in the form given at Annexure I(a) as required of him under Rule 47 of IE Rule, 1956.
- (2B) If upon inspection, the Licensee finds any defect, like the installation having not been completed or bare ends of conductor or joints having not been properly covered with insulating tape or that the wiring is of such nature that is dangerous to life /property etc, he shall intimate the same to the applicant on the spot under proper receipt in the form given at Annexure I(a).
- (2C) Licensee shall also record correct and full address of the premises, if not provided in the application, along with land mark near the property and also pole number from where service connection is proposed to be given. This information is necessary for future meter reading and billing.

- (2D) The applicant shall get all the defects removed within 15 days and inform the licensee in writing under acknowledgement. In case applicant fails to remove such defects or fails to inform the licensee about removal of the defects, the application shall stand lapsed and applicant will have to apply afresh.
- 2(E) Upon receipt of information from applicant about removal of defects, the Licensee shall re-inspect and test the installations within 5 days from receipt of such information and if the defects pointed out earlier are found to persist, the licensee shall again record the same in the form given at Annexure I (a) and hand over a copy of the same to applicant or his representative available on site. The application shall then stand lapsed and applicant shall be informed accordingly in writing under acknowledgement. If the applicant feels aggrieved by this action of the licensee, he may appeal to the Electrical Inspector, whose verdict in the matter will be final and binding.
- (2F) Licensee shall also ascertain whether any dues are outstanding on the premises, and if so, the licensee shall issue a demand note within 5 days from date of receipt of application form giving full details of such outstanding amount. The applicant shall be required to deposit outstanding dues within 15 days failing which his application shall lapse and the applicant shall be informed accordingly in writing under acknowledgement."

- (2) In first sentence of clause (3) the phrase "The Licensee shall examine the technical feasibility of the connection requested for and if found feasible" shall be substituted by "If on inspection no deficiency is found or the deficiencies are found to have been removed and there are no outstanding dues or the same have been cleared, the Licensee".

- (3) The following clause shall be added after clause 3, namely :--

"(3A) In case applicant does not receive any deficiency note or demand note for the outstanding dues within 5 days from the date of application, the load applied for shall be deemed to have been sanctioned and licensee shall not deny grant of the connection on these grounds."

3. In sub-regulation 2.3.3 of the Regulation 2.3 of the Principal Regulations:

- (1) In clause (3) the words "10 days" shall be replaced by "two billing cycles".

4. In sub-regulation 3.1.2 of the Regulation 3.1 of the Principal Regulations:

- (1) In first sentence of clause (6) the words "domestic consumer" shall be replaced by "consumer"

5. In Regulation 4.1 of the Principal Regulations:

- (1) At the end of the clause (2) the following sentence shall be added, namely :--

"The licensee may also take appropriate action, against the consumer providing such connection, under section 126 of the Act."

6. In Regulation 5.1 of the Principal Regulations:

- (1) For clause (6) of the sub-regulation (5.1.1), the following shall be substituted, namely :--

"No case for theft shall be booked only on account of first seal on the meter missing or tampered or first instance of breakage of glass window, unless corroborated by consumption pattern of consumer and such other evidence as may be available. However any subsequent missing or tampering of seal or breakage of glass window shall be construed as suspected case of theft of energy."

- (2) For clause (7) sub-regulation (5.1.1), the following shall be substituted, namely :--

"(7) In case sufficient evidence is found to establish direct theft of energy, such officer of the licensee, as authorised for the purpose by the Commission or any other officer of the licensee, as the case may be, of the rank higher than the rank so authorised may, upon detection of such theft of electricity, immediately disconnect the supply of electricity and seize all material evidence including wires/cables, meter, service line etc. from the premises and such officer of the licensee shall lodge a complaint in writing relating to the Commission of such offence in police station having jurisdiction within twenty-four hours from the time of such disconnection.

- (7A) Within two working days from date of inspection, the licensee may also file a case against the consumer in designated Special Court as per the provisions of Section 135 of the Act. The licensee shall also conduct assessment in accordance with clause (4) of sub-regulation (5.2.3) of regulation 5.2 dealing in Un-authorized Use of Electricity (UUE) and serve on the consumer under proper receipt.
- (7B) However, on deposit or payment of the assessed amount or electricity charges in accordance with sub-regulation (7A) above, the licensee shall, without prejudice to the obligation to lodge the complaint as referred to in the sub-regulation (7) above, restore the supply line of electricity within forty-eight hours of such deposit or payment."
- (3) For clause (4) sub-regulation (5.1.2), the following shall be substituted, namely :-
- "(4) Where it is established that there is a case of theft of energy, such officer of the licensee, as authorised for the purpose by the Commission or any other officer of the licensee, as the case may be, of the rank higher than the rank so authorised may, upon detection of such theft of electricity, immediately disconnect the supply of electricity and seize all material evidence including wires/cables, meter, service line etc., from the premises and such officer of the licensee shall lodge a complaint in writing relating to the Commission of such offence in police station having jurisdiction within twenty-four hours from the time of such disconnection.
- (4A) The licensee may also file a case of theft in designated special court as per provisions of Section 135 of the Act. The licensee shall also conduct assessment in accordance with clause (4) of sub-regulation (5.2.3) of regulation 5.2 dealing in unauthorised use of electricity (UUE) and serve on the consumer under proper receipt. The consumer shall be required to make the payment within 7 working days of its proper receipt.
- (4B) However, on deposit or payment of the assessed amount or electricity charges in accordance with sub-regulation (4A) above, the licensee shall, without prejudice to the obligation to lodge the complaint as referred to in the sub-regulation (4) above, restore the supply line of electricity within forty-eight hours of such deposit or payment."
- (4) After sub-regulation (5.1.3), the following shall be inserted, namely :-
- "5.1.4 Measures to prevent diversion of electricity, theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter**
- (1) In order to reduce and prevent the menace of theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter, it is necessary to initiate preventive measures.
- (2) The licensee shall arrange inspection & certification of meters of at least 20% of total connections in his area of operation, annually.
- (3) The licensee shall arrange to provide pilfer proof meter boxes on meters of at least 20% connections every year so as to ensure that within next 5 years meters installed at all the persons' premises have pilfer proof meter boxes. The licensee shall simultaneously also review the status of service lines to ensure that it is proper and wherever required, it should be replaced to prevent theft/by passing of meter.
- (4) The licensee shall intensify the effort for regular inspection of premises of persons and other persons to ensure prevention of theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter. At least 5% of total connections should be inspected annually and the provisions of the section 126 & 135 be effectively implemented.
- (5) Priority shall be given to detection of direct theft cases by the vigilance teams of the licensee, particularly in theft prone areas.
- (6) The licensee shall evolve a system and put in place within 3 months for carrying out regular monthly monitoring of consumption of high value consumer, which shall include all the HT connections and LT connections having contract demand of 25HP & above. Variations in the consumption shall be carefully analyzed. The licensee shall arrange prompt inspection of doubtful cases.

- (7) The licensee shall arrange to ensure that 33 KV & 11 KV feeder wise losses are worked out in next six months for big towns of the State namely Dehradun, Haldwani, Udham Singh Nagar, Roorkee, Nainital in first phase. Losses for all 33 KV & 11 KV feeders of District Head quarters towns shall be worked out within next one year and for other areas within next 2 years. The licensee shall fix the individual accountability on his officers for each of the 33 KV and 11 KV feeder. Primary responsibility shall be fixed on the local officer of the area and secondary responsibility on the next level senior office. The licensee shall take suitable steps for reduction of feeder wise losses and shall ensure necessary support to the concerned officers in the matter and in the event of non-reduction in losses to the desired level shall take suitable action against the concerned officers.
- (8) The licensee shall endeavor to install remote metering devices on all HT connections on priority for the purpose of monitoring of consumption and prevention of theft of electricity. The licensee shall further endeavor to install metering devices on high value LT connections.
- (9) The licensee shall arrange to give due publicity through the media, TV and newspaper to bring the awareness about the level of commercial losses, its implication on the honest consumers and seek the cooperation for prevention of theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter. The licensee shall also display boards containing the information about the above at its consumer service related offices.
- (10) The licensee shall arrange to display feeder wise losses, efforts made for prevention of diversion of electricity, theft or unauthorized use of electricity or tampering, distress or damage to electrical plant, electric lines or meter and results obtained during the year, on its website.
- (11) The licensee shall arrange to provide requisite security force to the inspecting officers for their safety and expenses on such account shall be pass through in ARR of the licensee. Such security squads shall be invariably accompanying the inspecting officers in order to ensure safety of the inspecting officer.
- (12) The licensee shall arrange to install meter on distribution transformers of the suspected area where with possibilities of theft of electricity exists and shall monitor the consumption of such meters with the consumption of individual consumer meters connected to the distribution transformer. The licensee shall carryout intensive inspection in areas, if the difference in consumption of the distribution transformers meter and individual consumer meters connected to the distribution transformer is abnormal.
- (13) The licensee may replace overhead bare conductors with cables in theft prone areas, wherever necessary to prevent theft by direct hooking with the licensee's lines and expenditure this account shall be a pass through in the ARR of the licensee.
- (14) The licensee may provide HV distribution system (LT less system) in theft prone areas using small capacity distribution transformer, wherever necessary, to prevent theft by direct hooking and expenditure on this account shall be a pass through in the ARR of the licensee.
- (15) The licensee is authorized to relocate the meters of existing consumers to an appropriate location so that it is outside the premises but within the boundary wall and easily accessible for reading, inspection/ testing and other related works.
- (16) The licensee shall ensure that meter readers are rotated in such a manner that their area of meter reading is changed at least once in six months."

7. In Regulation 5.2 of the Principal Regulations:

- (1) For clause (4) sub-regulation (5.2.2), the following shall be substituted, namely :--
 - (4) If it is concluded that there is UUE, the Licensee shall serve on the consumer a show cause notice giving full details for arriving at such decision. The notice should clearly state the time and date which shall not be less than 7 days and place at which the reply has to be submitted and the designation of the person to whom it should be addressed."
- (2) In the first sentence of clause (2) of sub-regulation (5.2.3), the phrase "Licensee shall give due consideration to the facts submitted by the consumer and pass, within 15 days, a speaking order" shall be substituted by, "Licensee shall give due consideration to the facts submitted by the consumer and pass, within thirty days from the date of such notice, a speaking order."

(3) For clause (4) sub-regulation (5.2.3), the following shall be substituted, namely :-

- "(4) Where it is established that there is a case of UUE, the Licensee shall assess the energy consumption as per the assessment formula given in Annex. X 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 a period of twelve months immediately preceding the date of inspection and prepare final assessment bill on 2.0 times the rates as per applicable tariff and serve on the consumer under proper receipt. The consumer shall be required to make the payment within 7 working days of its proper receipt. The Licensee may, taking into consideration the financial position and other conditions of the consumer, extend the last date of payment or approve the payment to be made in installments. The amount, the extended last date and/or time schedule of payment/installments should be clearly stated in the speaking order. A copy of the speaking order shall also be handed over to the consumer under proper receipt."

8. The following Chapter shall be added after Chapter 6 as Chapter 7 in the Principal Regulations:

"Chapter 7: Savings

(1) Nothing in these regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

(2) Powers to Remove Difficulties--

If any difficulty arises in giving effect to these regulations, the Commission may, of its own motion or otherwise, by an order and after giving reasonable opportunity to those likely to be affected by such order, make such provisions, not inconsistent with these regulations, as may appear to be necessary for removing the difficulty.

(3) Powers to Relax--

The Commission, for reasons to be recorded in writing, may relax or vary any of the provisions of these regulations on its own motion or on an application made before it by an interested person."

9. The following shall be added after Annexure I of the Principal Regulations as Annexure I (a).

Annexure I (a)

Test Result Report

(Refer rule 47 & 48 of IE Rules, 1956)

(To be filled by representative of the licensee)

Result of Insulation Resistance (to be measured on applying a pressure of 500 volts for one minute between phase conductor and earth) -

(i) Between Phase and Earth Phase-1 & Phase-2 & Phase-3 & Earth
Earth Earth

Caution: Insulation Resistance between phase and neutral or between phases shall not be measured when any of consumer's appliances, such as fans, tubes, bulbs, etc. is in circuit as results of such test would give resistance of appliance and not the insulation resistance of installation.

Certified that an Earth Terminal as required under Rule 33 of IE Rules, 1956 has been provided by UPCL and this terminal has been connected with UPCL's earthing system.

Following deficiencies have been found in your Electrical installation. You are requested to remove them within 15 days i.e. by _____ and inform UPCL failing which your request for new connection would lapse:

- 1- _____
 2- _____
 3- _____
 4- _____

Date: _____

Signature of licensee representative

Name and Designation

(To be filled by applicant)

The testing of the premises has been carried out by licensee in my presence and

*I am satisfied with the testing.

*I am not satisfied with the testing and may file an appeal with Electrical Inspector.

It is also certified that UPCL has*/has not* provided an Earth Terminal as per Rule 33 of IE Rules, 1956 at the premises and this earth terminal has*/has not* been connected to UPCL's earthing system.

Date _____

Signature of applicant

* Strike out which is not applicable"

10. The UERC (Release of New LT Connections, Enhancement and Reduction of Loads) (First Amendment) Regulations, 2007 shall be added to Appendix 1 of the Principal Regulations as Appendix 1.1.

Appendix 1.1

Uttarakhand Electricity Regulatory Commission, Dehradun

NOTIFICATION

August 07, 2007

No. F-9(12)/UERC/2007/ 434—In exercise of powers conferred under section 181 of the Electricity Act, 2003, and all other powers enabling it in this behalf, and after previous publication, the Uttarakhand Electricity Regulatory Commission hereby makes the following regulations to amend the Uttarakhand Electricity Regulatory Commission (Release of New LT Connections, Enhancement and Reduction of Loads) Regulations, 2007 (Principal Regulations), namely :—

1. Short Title, Commencement and Interpretation :

- (1) These Regulations may be called the Uttarakhand Electricity Regulatory Commission (Release of New LT Connections, Enhancement and Reduction of Loads) (First Amendment) Regulations, 2007.
- (2) These Regulations extend to the whole of the State of Uttarakhand.
- (3) These shall come into force on the date of their publication in the official Gazette.

2. In clause (a) of Regulation 4(3) of the Principal Regulations:

- (1) at the end of clause (i), the following shall be added, namely :—

"(inclusion of applicant's name in the khasra or khatauni shall be sufficient for this purpose)"

- (2) after clause(v), the following provisos shall be inserted, namely :-

"Provided that in case the applicant is unable to submit any of the document listed at (i) to (v) above then the applicant shall be charged thrice (except for BPL consumers) the amount of security as per Table 1 given in Regulation 5(10) and clause (iii) of Regulation 5(10) respectively. The owner of the premises, if different from the applicant, shall not be liable for payment of any due against such connection :

Provided further that in cases covered under first proviso, the licensee shall have the right to review and re-determine security twice in a year *i.e.* on 1st April and on 1st October every year and make adjustments for the same in electricity bill for next billing cycle :

Provided further that in case the consumer fails to give security demanded by the licensee within stipulated time, the licensee may, after giving thirty days notice to the consumer as per sub-section (2) of section 47 of the Act, discontinue the supply of electricity for the period during which the failure continues."

3. In Regulation 5 of the Principal Regulations,

- (1) at the end of first sentence of sub-regulation (2), the phrase "date of receipt of application" shall be substituted by "date of receipt of application form".
- (2) in the first sentence of sub-regulation (7), in place of the phrase "from date of application giving full details" the phrase "from date of receipt of application form giving full details" shall be substituted.
- (3) in sub-regulation (8), in place of the phrase "If on inspection the deficiencies are found to have been removed" the phrase "If on inspection no deficiency is found or the deficiencies are found to have been removed" shall be substituted.
- (4) at the end of sub-regulation (8), the phrase "within 5 days" shall be substituted by "within 5 days of receipt of application form".
- (5) in the third sentence of clause (iii) of sub-regulation (10) the phrase "average consumption for 2 months" shall be substituted by "average consumption for 2 billing cycles".
- (6) in clause (b) of sub-regulation (11), the phrase "or liquidation of outstanding dues whichever is later" shall be substituted by "or liquidation of outstanding dues or the date of application whichever is later".
- (7) after clause (b) of sub-regulation (11), the following Explanation shall be added:
Explanation - For the purposes of this Regulation, "application" means the application complete in all respects in the appropriate form along with documents showing payment of necessary charges and other compliances.

4. The following Regulation shall be added after Regulation 8 as Regulation 9 in the Principal Regulations:

"9. Savings :

- (1) Nothing in these regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercising any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

(2) Powers to Remove Difficulties--

If any difficulty arises in giving effect to these regulations, the Commission may, of its own motion or otherwise, by an order and after giving reasonable opportunity to those likely to be affected by such order, make such provisions, not inconsistent with these regulations, as may appear to be necessary for removing the difficulty.

(3) Powers to Relax--

The Commission, for reasons to be recorded in writing, may relax or vary any of the provisions of these regulations on its own motion or on an application made before it by an interested person."

By the Order of the Commission,

PANKAJ PRAKASH,
Secretary.