

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

In the matter of:

Complaint filed by Shri Mohan Singh Bisht, Bisht house, Lane No.-C 3 New Subhash Nagar, Jwalapur, Haridwar and wrong reporting in the division wise monthly report on release of new connections in accordance with Regulations 5(13) of UERC (Release of New Connections, Enhancement and Reductions of Loads) Regulations, 2007

Coram

Shri V.J. Talwar Chairman

Shri Anand Kumar Member

Date of Order 17th August 2009

ORDER

1. A Complaint dated 06.05.2009 was filed by Shri Mohan Singh Bisht, Haridwar regarding delay in release of 2kW domestic connection in his house located in Rajput Vihar colony Salempur Road, Bahadrabad Marg, Haridwar, by UPCL despite his depositing Rs.5200=00 (includes development charges of Rs.4000=00) as early as 22.04.2008.
2. A show cause notice dated 21.05.2009 was issued to MD, UPCL and the concerned Executive Engineer and Sub-Divisional Officer of Electricity Distribution Division (Rural), Haridwar after it was discovered that monthly division wise reports on release of new connections submitted by UPCL before the Commission upto March 2009 stated that there was no pending application for new connection of any consumer in Haridwar (Rural) division.
3. A notice for Personal Hearing was issued to UPCL, directing Chief General Manager (Commercial) and the concerned Executive Engineer and Sub-Divisional Officer of Electricity Distribution Division (Rural), Haridwar to appear before the Commission on 8th June 2009 and explain as to why

appropriate action should not be taken against them for wrong reporting. UPCL was also directed to submit all the relevant new connection records including agreement registers, sealing records, revenue receipts etc of the concerned division along with the reply on the issue on affidavit by 05.06.2009.

4. On the request of Chief General Manager (Commercial) the date of Hearing was postponed to 10.06.2009.
5. As directed, UPCL filed its reply on 05.06.2009 in the matter on affidavit stating that there was no delay in releasing the connection to the consumer, as the consumer himself informed the SDO about the completion of the earthing work in his premises only in November 08, and since the meter board was not provided by the consumer even till then the connection was finally released on 02.12.2008 by fixing the meter on the wall, and thereafter the connection was ledgerised from the same date. The consumer was informed of the said deficiency in the test report prepared by the J.E which was handed over to the consumer.
6. The Chief General Manager (Commercial) along with concerned Executive Engineer, SDO and J.E. appeared before the Commission on 10.06.2009 in the Commission's office.
7. The Commission enquired from the J.E. what he meant by his comments that there 'is no earthing at site' in his test report, to which, he informed that the consumer did not provide a pit and the associated electrode and conductor etc required for providing proper earthing in the premises. The Commission pointed out that providing earthing point in the consumer's premises is the duty of the licensee and as such in this case the consumer was indeed harassed and there was delay in releasing connection to the consumer.
8. The SDO informed the Commission that the consumer was initially given the connection through a 150 meter long cable stretched on the bamboo poles through shortest available distance which frequently used to get damaged/stolen, as such the consumer suffered a lot on that account, but now mains have been extended which measure about 240 meters in length along the available corridor and the consumer has been given connection from it.

9. The Commission took a strong view on the wrong reporting done by UPCL in the reports containing details of new connections that were not energised within the specified period as stipulated in the Regulations. In each of the said reports submitted for the months April 08 to March 09 it was stated by the licensee that there was no pending application for new connection of any consumer in Haridwar (Rural) division. Since now the connection has been released to the consumer the Commission is taking a lenient view this time, but cautions the licensee that in future it should submit the information before the Commission only after being sure of its veracity. Here it shall be appropriate to bring to the notice of the licensee the Regulation 13(5) of UERC(Conduct of Business)Regulations,2004 which is reproduced below:

'In accordance with section 193 of Indian Penal Code,1860, whoever intentionally gives false evidence in any of the proceedings of the Commission or fabricates evidence for the purpose of being used in any of the proceedings shall be punished with imprisonment for a term, which may extend to seven years and shall also be liable to fine.'

10. The Complainant vide his letter dated 20.06.2009 informed the Commission that though delayed, his connection was energized by UPCL and as such he has no complaint against any officer of UPCL, hence was withdrawing his complaint.
11. There is no doubt that there was indeed a delay in releasing the connection to the consumer and he was unduly harassed for no fault of his. Had UPCL been more vigilant, loss to the Corporation and wrong reporting of facts before the Commission could have been avoided.
12. In the light of the above the Commission hereby orders that :
- i. The complainant is permitted to withdraw the complaint. However, UPCL is warned to ensure that no such case of new connection is denied/delayed on the flimsy ground given in this case
 - ii. Since UPCL has failed to provide connection to the consumer within the time frame of 90 days required for releasing the connection in a left out pocket where extension of distribution main together with commissioning of a new sub-station is required, it is liable to pay penalty at the rate of Rs. 52 for each day of default for 133 days of default as per regulation 5(12) of UERC (Release of new LT Connections,

Enhancement and Reduction of Loads) Regulations, 2007. The penalty must be deposited immediately with the Commission.

- iii. The licensee in compliance of Regulation 5(13) of UERC (Release of new LT Connections, Enhancement and Reduction of Loads), Regulations, 2007 shall also deposit the penalty accrued on account of delay in releasing the new connections for the period April 08 to June 09. The licensee shall in future make sure that such penalties are deposited with the Commission on monthly basis.

-Sd-

(Anand Kumar)
Member

-Sd-

(V.J. Talwar)
Chairman