

**Before**  
**UTTARAKHAND ELECTRICITY REGULATORY COMMISSION**

Pet. No. 33 of 2020

**In the Matter of:**

Compliance of Reports/Plans/Procedures by the Distribution Licensee as per the UERC (Distribution Code) Regulations, 2018.

&

**In the Matter of:**

*Suo-moto* proceedings initiated by the Commission in the matter of misleading submission made by the licensee against the compliance of Regulation 6.4 of the UERC (Distribution Code) Regulations, 2018.

And

**In the Matter of:**

Uttarakhand Power Corporation Limited, V.C.V. Gabar Singh Urja Bhawan, Kanwali Road, Dehradun.

...Respondent

**Coram**

**Shri D.P. Gairola      Member (Law)**

**Shri M.K. Jain        Member (Technical)**

**Date of Order: February 25, 2021**

In the matter of ensuring compliance of the provisions of the UERC (Distribution Code) Regulations, 2018, the Commission earlier vide letter dated 01.11.2019, had directed the Distribution Licensee (hereinafter referred to as "the Respondent") to furnish before it, the compliance status of various Reports/Plans/Procedures/Compliances required under the provisions of the aforesaid Regulations. In the aforesaid letter, *inter alia*, the Commission had also directed the Respondent to prepare a 'Protection Manual' and furnish a copy of the same before the Commission as per the requirement of sub-Regulation (4) of Regulation 6 of the aforesaid Regulations.

2. In response to the above, UPCL submitted a letter dated 15.01.2020 furnishing 'Annual Training Calendar' in compliance to the Regulation 5.20 of the Distribution Code. Subsequently, the Respondent submitted its reply vide letter dated 07.10.2020, thereby, informing the Commission that it has invited tender with regard to the preparation of the Protection Manual. Thereafter, the Respondent again made a submission vide letter dated 18.11.2020, informing that a Letter of Award (LoA) has been placed for preparation of Safety Guidelines.
3. On perusal of the submissions of the Respondent, it was observed and firmly concluded that the scope of work of the aforesaid LoA does not match the requirement under the scope of Regulation 6 (4) and the same was placed for preparation of Safety Guideline and not the Protection Manual. Such submission by the Respondent appeared to be an attempt to maneuver a false compliance. The Commission on finding it to be a clear case of misrepresentation of facts and wrongful submission by the Respondent, took cognizance of the same and vide letter dated 09.12.2020, issued a Show Cause notice to the Respondent, thereby, initiating a *suo-moto* proceedings against it.
4. In response to the said Show Cause notice, the Respondent vide letter dated 13.01.2021 submitted its reply, thereby, informing the Commission that in its earlier submissions, due to an inadvertent error, in place of Safety Manual it was written that price bid of tender for the work of Protection Manual has been opened and award of tender was under process, whereas, the status of Safety Manual was intended to be informed to the Commission. The Respondent thus requested before the Commission that it was only a mistake and maybe excused.
5. Further, in its reply to the aforesaid notice, the Respondent submitted that with regard to compliance of the aforesaid Regulation 6(4) pertaining to the Protection Manual, the Respondent, vide O.M. dated 30.12.2020 has constituted a committee to decide the scope of work for the preparation of Protection Manual so that the tender for work of preparation of Protection Manual can be floated.
6. Since, the Respondent has submitted that its earlier submissions, before the Commission, be excused as it was only an error committed unintentionally and

has apologised before the Commission for the same, the Commission considers the apology to be bona fide and has decided to accept the request of the Respondent and hence, dismisses the current proceedings against it. However, the Commission cautions the Respondent to be highly responsible and careful while making submissions before it.

7. Further, it is relevant to highlight that besides the above issue with regard to Regulations 6(4) of the UERC (Distribution Code) Regulations, 2018, other submissions/compliances namely Reports/Plans/Procedures required under various provisions of the UERC (Distribution Code) Regulations, 2018, and also directed vide the Commission's letter dated 01.11.2019 have not been made till date. In light of this, the Commission directs the Respondent to ensure compliance of the aforesaid Regulations as desired in the Commission's letter dated 01.11.2019, that includes preparation of Protection Manual, and submit the status of same before the Commission latest by 31.03.2021.

Ordered accordingly.

**(M.K. Jain)**  
**Member (Technical)**

**(D.P. Gairola)**  
**Member (Law)**