

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

In the matter of:

Violation of provisions of Indian Electricity Rules, 1956 and Commission's directions on providing proper neutral grounding, earthing and protective system.

Present

Shri V.J. Talwar Chairman

Date of Order: 18th February 2010

ORDER

The Commission had issued an Order on 22.09.2009 in the above matter, directing UPCL, the sole distribution licensee of the State, to submit compliance of the following by 31.10.2009:

- 1) To submit detailed upto date progress reports and detailed action plans on the following:-
 - a) Providing proper earthing and guarding system, including earthing along the distribution lines, as per the areawise priorities given in the Order.
 - b) Neutral grounding of all existing distribution transformers after actual physical verification/enumeration.
 - c) Providing protective and ant climbing devices including proper fencing.

The licensee was also directed to ensure timely submission of monthly progress reports on the above by 10th of every month. The Commission had observed in the Order dated 22.09.2009 that the licensee had not only submitted very sketchy action plans but also extended the same on one pretext or the other and, hence, directed it to submit detailed action plan and progress reports.

- 2) To submit actual details of project costs for last two years. These details were first sought by the Commission on 06.11.2008 for submission till 22.11.2008,

which was extended up to 15.12.2008 on UPCL's request. As no details were submitted by that date, a show cause notice under section 142 and 146 of the Electricity Act 2003 for non-compliance of Commissions directives was issued to MD, UPCL on 06.01.2009 for appearing before the Commission on 16.03.2009 and explaining as to why action under the said provisions should not be initiated. The Commission accepted the request of the new MD to postpone the hearing and have a meeting on 16.03.2009 to take stock of the compliance status.

However, as the said details were not submitted even till issuance of the Order dated 22.09.2009, the Commission granted the above said last opportunity to the licensee.

As UPCL failed to file the required details with regard to compliance of these directions a show cause notice was issued to UPCL, vide letter No. 1813/UPCL/Dir(C&L)/17/09-10 dated 07.01.2010, directing it to explain as to why appropriate action should not be taken in accordance with the section 142 read with section 146 of Electricity Act 2003 for non-compliance of the directions of the Commission and also to submit reply, in this regard by 16.01.2010. Simultaneously, vide Commission's letter No. 1812/UERC/Dir(C&L)/57/ 09 dated 07.01.2010, a notice for hearing to be held on 18.01.2010 on the above matters was also issued to all functional Directors and GM (Zones) to highlight the violations/irregularities and to ensure compliance of Commission's directives. The said hearing was postponed and was conducted on 05.02.2010, which was attended by MD, Director (Operations/Projects), Director (HR), GM (Garhwal) & GM (Kumaon) of UPCL.

During the hearing, it was noticed that, vide UPCL's letter No. 1623 dated 05.12.2009, the status was given only for neutral grounding of transformers only for nine divisions without giving any details of locations and works to be done for each transformer. Some updates were orally presented by GM (Garhwal) which were not submitted in writing and were also admittedly far short of the targets. Director (Operations/Projects), however, assured that the work of grounding of transformer neutral, its body, LA and pole shall be completed by 31st March, 2010 for whole of

UPCL except Haridwar Division, which shall also be completed by 30th June 2010. He also assured of completing the fencing work by 30th June 2010.

In view of assurances given by Director (Operations/Projects), UPCL is hereby given the last opportunity to submit the detailed Action Plan (division-wise) latest by 15.03.2010, giving actual locations, work requirements and time-lines for completing each of the identified work alongwith financial implications for completion of proper neutral grounding, earthing, guarding and protective system. The targets for the above works committed by Director (Operations/Projects) should be adhered to in the Plan. The Action Plan should be accompanied with the report giving details of actual works identified to be done after physical verification at site, status of progress in each work alongwith all supporting documents such as tender notices/documents, award letters & agreements and work completion reports and the details in the formats at Annexure-1 to Annexure-5. Licensee is also directed to furnish the detailed progress reports latest by 10th of every month till the end of preceding month beginning April 2010.

MD, UPCL is also directed to submit action details of Project Cost for last two years as detailed in order dated 22.09.2009 latest by 15.03.2010.

As the functional Directors of UPCL have again given assurance to earnestly comply with the directions of the Commission for making UPCL's system safe, the Commission is not initiating any punitive action this time and in case, UPCL does not complete these works within reasonable time, it shall be constrained to resort to coercive measures including levy of penalties under the relevant provisions of Electricity Act, 2003 for enforcement of its directions on safety rules for which the management of the licensee shall be responsible. A copy of this order may also be placed by MD, UPCL before the Board of Directors and the Action Plan must be submitted by Director (Operations/Projects) on affidavit after taking Board's approval latest by 15.03.2010.

-Sd-
(V.J. Talwar)
Chairman

