

Before

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

In the Matter of:

Directions issued by the Government of Uttarakhand (GoU) under Section 108 of the Electricity Act, 2003 for Exemption of consumption security charges for release of temporary electricity connection at Covid Emergency Hospital established by DRDO at Dr. Sushila Tiwari Medical College, Haldwani.

Coram

Shri D.P. Gairola Member (Law)

Shri M.K.Jain Member (Technical)

Date of Order: June 16, 2021

ORDER

This Order relates to the directions issued by Government of Uttarakhand (GoU) under provisions of Section 108 of the Electricity Act, 2003 (hereinafter referred to as “the Act”) vide their letter dated 20.05.2021 pertaining to ‘exemption from payment of consumption security charges against the release of temporary electricity connection at Covid Emergency Hospital established by DRDO in Dr. Sushila Tiwari Medical College, Haldwani’.

2. Vide the above directions, GoU has sought exemption of consumption security charges of Rs 2.722 Crore for release of temporary electricity connection of 2+2=4 MVA load for establishment of ‘500 bed Covid-19 Emergency Hospital by Defence Research & Development Organization (DRDO) at the premises of Dr. Sushila Tiwari Medical College, Haldwani’ in the public interest considering the urgency and prevailing situation of pandemic due to Covid-19.
3. With regard to the consumption security for release of temporary connection, Regulation 3.2.3(9)(a) of UERC(The Electricity Supply Code, Release of New Connections and Related

Matters) Regulations, 2020 (hereinafter referred to as “UERC Supply Code”) stipulates that:-

“

3.2.3. Processing of Application for Temporary Connections

...

(a) Consumption Security:

The Applicant shall deposit an amount of consumption security as per Table 3.3(A) below:

Table 3.3(A): Consumption Security for Temporary connections (Rs/kW/month)

Domestic	Non-Domestic	Construction
2000	4000	4000

The above security shall be taken for 1 month where the connection is being applied for a period upto 1 month and for 2 months where the connection is being applied for a period more than 1 month. Provided that for consumers with contracted load in kVA, the charges as mentioned in above table shall be calculated on Rs/kVA/month basis by considering a power factor of 0.85. Provided that no consumption security deposit shall be applicable for pre-paid meter applicants.”

4. Section 108 of the Act empowers GoU for issuance of directions to the Commission in the matters of policy involving public interest, and the same is reproduced hereunder:-

“Section 108. (Directions by State Government): -

(1) In the discharge of its functions, the State Commission shall be guided by such directions in matters of policy involving public interest as the State Government may give to it in writing.

(2) If any question arises as to whether any such direction relates to a matter of policy involving public interest, the decision of the State Government thereon shall be final.”

5. Since the Act bestows powers to the State Government to direct the State Electricity Regulatory Commission in the matters pertaining to policy involving public interest as mentioned at para 4 above, the Commission also finds the issue referred by GoU in the public interest specifically in the unprecedented situation that has arisen due to Covid-19 pandemic.

6. Regulation 8 (3) of UERC Supply Code, of the UERC Supply Code with reference to power to relax stipulates as under:-

“(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.”

7. Therefore, the Commission in exercise of the powers under Regulation 8(3) of the UERC Supply Code as mentioned at para 6 above hereby relaxes the provisions of consumption security provided at Regulation 3.2.3 (9) (a) of the UERC Supply Code mentioned at para 3 above in the public interest and allows that no consumption security deposit for release of temporary connection at 'Covid Emergency Hospital established by DRDO in Dr. Sushila Tiwari Medical College, Haldwani' be levied by UPCL.

Ordered accordingly.

(M.K. Jain)
Member (Technical)

(D.P. Gairola)
Member (Law)