



उत्तराखण्ड पावर कारपोरेशन लि०
(उत्तराखण्ड सरकार का उपक्रम)
Uttarakhand Power Corporation Ltd.
(A. Govt. of Uttarakhand Undertaking)

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No. 4583 /UPCL/RM/B-28

Dated: 11-07-2025

BEFORE THE UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

IN THE MATTER OF: Petition seeking review of the Tariff Order issued by Hon'ble Commission on 11-04-2025 on the Petitions of the Business Plan and Multi Year Tariff for Fifth Control Period from FY 2025-26 to FY 2027-28 & Tariff Determination for FY 2025-26 along with True up for FY 2023-24.

AND

IN THE MATTER OF: UTTARAKHAND POWER CORPORATION LIMITED.

.....Petitioner

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(Anil Kumar)
Managing Director

File No.
Case No.

BEFORE THE UTTARAKHAND ELECTRICITY REGULATORY COMMISSION
IN THE MATTER OF:

PETITION SEEKING REVIEW OF THE TARIFF ORDER
ISSUED BY HON'BLE COMMISSION ON 11-04-2025 ON THE
PETITIONS OF THE BUSINESS PLAN AND MULTI YEAR
TARIFF FOR FIFTH CONTROL PERIOD FROM FY 2025-26 TO
FY 2027-28 & TARIFF DETERMINATION FOR FY 2025-26
ALONG WITH TRUE UP FOR FY 2023-24.

And

In the matter of: Uttarakhand Power Corporation Limited.

.....Petitioner

The humble Petitioner most respectfully sheweth:

1. Specific Legal Provision under which Petition is being filed:

1.1. Section 94(1) (f) of the Electricity Act, 2003 stipulates as under:

"The Appropriate Commission shall, for the purposes of any inquiry or proceedings under this Act, have the same powers as are vested in a civil court under the Code of Civil Procedure, 1908 (5 of 1908) in respect of the following matters, namely reviewing its decisions, directions and orders; "

1.2. Section 114 of the Code of Civil Procedure, 1908 stipulates as under:

"Subject as aforesaid, any person considering himself aggrieved –

(a) by a decree or order from which an appeal is allowed by this Code, but from which no appeal has been preferred,

(b) by a decree or order from which no appeal is allowed by this Code, or

(c) by a decision on a reference from a Court of Small Causes, may apply for a review of judgment to the Court which passed the decree or made the order, and the Court may make such order thereon as it thinks fit. "







1.3. Order XLVII (1) of the Code of Civil Procedure, 1908 stipulates as follows:

"Any person considering himself aggrieved -

- (a) by a decree or order from which an appeal is allowed, but from which no appeal has been preferred,*
- (b) by a decree or order from which no appeal is allowed, or*
- (c) by a decision on a reference from a Court of Small Causes, and who, from the discovery of new and important matter or evidence which, after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time when the decree was passed or order made, or on account of some mistake or error apparent on the face of the record, or for any other sufficient reason, desires to obtain a review of the decree passed or order made against him, may apply for a review of judgment of the Court which passed the decree or made the order. "*

1.4. Regulation 103 of the UERC (Terms and Conditions for Determination of Multi Year Tariff) Regulations, 2021 & 2024 stipulates as under:

"Savings

- (1) Nothing in these Regulations shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice.*
- (2) Nothing in these Regulations shall bar the Commission from adopting in conformity with provisions of the Act, a procedure which is at variance with any of the provisions of these Regulations, if the Commission, in view of the special circumstances of a matter or a class of matters, deems it just or expedient for deciding such matter or class of matters.*
- (3) Nothing in these Regulations shall, expressly or implied, 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."*



- 1.5. Regulation 54 (1) Of the UERC (Conduct of Business) Regulations, 2014 stipulates as follows:

"The Commission may on its own or on the application of any of the persons or parties concerned, within 60 days of the making of any decision, direction or Order, review such decisions, directions Orders and pass such appropriate orders as the Commission thinks fit. "

- 1.6. The accompanying Petition is being filed under the above provisions of Law.

2. Limitation:

As the Tariff Order was issued by the Hon'ble Uttarakhand Electricity Regulatory Commission (Commission) on April 11, 2025, this review Petition as per Regulation 54 (1) of the UERC (Conduct of Business) Regulations, 2014, was required to be filed within 60 days from the date of Tariff Order i.e. by June 10, 2025 but the Petitioner analyzed the various components of expenses disallowed by the Hon'ble Commission in consultation with its consultant engaged for the purpose, which took some time. Further, the Petitioner being a State Government undertaking is bound by mandatory internal procedures and protocols which are to be followed without any deviations and therefore inadvertently, despite taking all necessary steps to avoid delay, a delay has occurred in filing of the said Review Petition. The Petitioner in the matter vide its letter no. 3954/UPCL/RM/B-28, dated 09-06-2025 had requested Hon'ble UERC to allow extension for filing of review petition but Hon'ble Commission vide its letter dated 13-06-2025 informed the Petitioner that "The time extension, in advance as requested, cannot be accepted". Considering the facts and circumstances mentioned hereinabove, Hon'ble Commission is requested to kindly condone the delay in submission of the Review Petition and admit the current Review Petition. Resolution of the Board of Directors passed in the meeting held on 05-07-2025 is annexed herewith.

3. Facts of the Case:

- 3.1. The Petitioner on December 26, 2024 had filed a Petition No. 4 of 2025 & 5 of 2025 before the Hon'ble Commission as per the provisions of UERC (Terms and Conditions for Determination of Tariff) Regulations, 2021 & 2024 giving details of its Business Plan and projections of expenses and revenues for the 5th Control Period i.e. FY 2025-



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26 to FY 2027-28 along with the Truing-up of revenue and expenses for FY 2023-24 based on Audited Accounts. Along with the above Petition, the Petitioner also submitted retail tariff proposals for different category of consumers so as to meet its projected Aggregate Revenue Requirement (ARR) for FY 2025-26. Hon'ble Commission directed the Petitioner to provide various explanations and additional information in the matter, which were provided to the Hon'ble Commission.

3.2. Hon'ble Commission in the matter had issued the Tariff Order on 11-04-2025 based on the above Petition filed by the Petitioner.

3.3. The Summary of Consumer Tariff hike approved for FY 2025-26 is as follows:

S. No.	Particulars	Claimed by Petitioner (Rs. Cr.)	Approved by UERC (Rs. Cr.)	Less Approved (Rs. Cr.)
A.1	True-up 2023-24	1155.25 (10.34%)	508.32 (4.63%)	646.93 (5.71%)
A.2	Carrying Cost of True-up	305.32 (2.73%)	129.87 (1.18%)	175.45 (1.55%)
A.	Total True-up with carrying cost	1460.58 (13.07%)	638.19 (5.81%)	822.39 (7.26%)
B.	Gap for 2025-26 at existing tariff	-118.78 (1.06%)	-47.53 (0.43%)	-71.25 (0.63%)
Claimed and approved (A+B)		1341.80 (12.01%)	590.66 (5.38%)	751.14 (6.63%)
Consumer Tariff Hike approved @ 5.62%				

3.4. As against the claim of Rs. 1341.96 Cr., Hon'ble Commission allowed only Rs. 590.66 Cr. by disallowing the claim of Rs. 751.34 Cr in FY 2025-26.

3.5. The Petitioner has analyzed the Tariff Order dated 11.04.2025 and observed that Hon'ble Commission vide its said order disallowed various expenses which is apparent error on the face of record and therefore Review Petition needs to be filed before the Hon'ble Commission in the matter. The issues covered in the Review Petition are as follows:







- A. Delayed Payment Surcharge (DPS) on receivables from GoU as part of Non-Tariff Income (NTI) for FY 2023-24 and FY 2025-26.
- B. Grant Considered for determining financing structure of Gross fixed assets of FY 2023-24 & FY 2025-26 is higher than grant as per audited accounts.
- C. K- Factor for determining R&M Expenses during the 5th Control Period i.e. FY 2025-26 to FY 2027-28 and R&M expenses for FY 2025-26
- D. Distribution loss reduction trajectory approved for the 5th Control Period i.e. FY 2025-26 to FY 2027-28.

A. Delayed Payment Surcharge (DPS) on receivables from GoU as part of Non-Tariff Income (NTI) for FY 2023-24 and FY 2025-26

- 3.6. The Petitioner in its Petition dated 26.12.2024 had claimed non-tariff income as Rs 253.10 Cr. for FY 2023-24 considered the wheeling charges, cross subsidy surcharge and additional surcharge as part of non-tariff income (NTI).
- 3.7. Further, the Petitioner submits that the Hon'ble Commission during the Technical Validation Session had sought explanation from the Petitioner for not recovering the Delayed Payment Surcharge (DPS) on the amounts recoverable from the Government categories and considering it as a part of NTI.
- 3.8. The Petitioner vide its reply dated 7.02.2025 to the query no. 14 (at Page no. 19) submitted that no Interest/DPS is payable by UPCL on dues payable to GoU and by GoU on dues payable to UPCL, as per the decision (point no. 2 of MoM) taken in the meeting held on 15.10.2012 (Annexure-A) in the chamber of Secretary Finance, Government of Uttarakhand (GoU).

Commission's Observations

- 3.9. Hon'ble Commission in its Order dated April 11, 2025, has mentioned the following as per para 4.2.5 "Non-Tariff Income":

"...the Petitioner and GoU have come to an internal agreement on the applicability of DPS which is not as per the UERC Tariff Regulations, 2021. The Commission has been allowing UPCL all the costs that is to be paid to the Government, however, UPCL due to its inefficiencies and also imprudent financial management has either not been able to collect its dues from the consumers or is utilising the said amount in creation of fixed assets which can very well be ascertained from the fact that every year UPCL is claiming assets to be created out of its equity/internal resources when it is having

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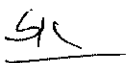
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negative net worth and is claiming RoE on the same. Hence, the entire burden of this inefficient practices cannot be loaded on to the consumers. The Commission, accordingly, is of the view that both the Petitioner as well as the Commission are bound by the provisions of UERC Tariff Regulations, 2021, and the Regulation is not subject to any such agreements which may be agreed between the Petitioner and its consumers. Therefore, any impact arising out of such agreement is to the account of the Petitioner. Further, it is observed that the Petitioner has calculated the normative DPS for FY 2023-24 based on the average balance payment of the Government consumer category at the year end. However, the approach adopted by the Petitioner for the calculation of DPS is not correct as the DPS amount should be computed on a monthly basis for the entire financial year."

- 3.10. In this connection, the Hon'ble Commission has estimated the DPS on Government categories for FY 2023-24 on a pro-rata basis w.r.t. FY 2022-23 amounting to Rs. 129.09 Cr considering the DPS on Government categories for previous years and added it to the non-tariff income.
- 3.11. Further, the Hon'ble Commission while determining the Annual Revenue Requirement (ARR) for FY 2025-26 has considered Non-Tariff Income (NTI) same as approved for FY 2023-24. This has resulted in consideration of Rs 129.09 Cr. as DPS on Government categories in NTI for FY 2025-26.

Grounds for Review

- 3.12. The Petitioner submits that as per the policy of GoU mentioned above, DPS is neither computed nor receivable by UPCL on Government categories.
- 3.13. The Petitioner humbly submits that neither the DPS gets recorded in the audited accounts nor the regulations specify methodology for normative computation of DPS. This is an error apparent on the face of records and needs to be reviewed as the same adds to the financial burden of the Discom.
- 3.14. Therefore, the Petitioner requests the Hon'ble Commission to exclude the amount of Rs. 129.09 Cr for FY 2023-24 and amount of Rs 129.09 Cr for FY 2025-26 considered as the DPS on Government categories from the non-tariff income.







3.15. The additional claim on this head has been worked out as follows:

Particulars	Claim (Rs Crores)
Delayed Payment Surcharge on receivables from GoU in FY 2023-24	129.09
Delayed Payment Surcharge on receivables from GoU in FY 2025-26	129.09
Total	258.18

3.16. The Petitioner again humbly submits that there is an error apparent on the face of records and prays the Hon'ble Commission to allow the claim made under Delayed Payment Surcharge on receivables from Government categories for FY 2023-24 & FY 2025-26.

B. Grant Considered for determining financing structure of Gross fixed assets (GFA) of FY 2023-24 & FY 2025-26 is higher than grant as per audited accounts.

3.17. The Petitioner in the Petition dated 26.12.2024 had submitted that for FY 2023-24 the opening GFA created out of grant is Rs. 3,253.86 Cr as per the audited accounts. However, the Hon'ble Commission in its Order dated 11.04.2025, has considered the opening GFA created out of grant as Rs. 3,962.23 Cr.

3.18. The Petitioner further submits that the opening GFA for FY 2024-25 which is created out of grant as per the audited accounts is Rs. 3,505.96 Cr, however, the Hon'ble Commission in its Order dated 11.04.2025, has considered the opening GFA created out of grant as Rs. 4,131.59 Cr.

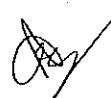
Commission's Observation

3.19. Hon'ble Commission in its Order dated April 11, 2025, has mentioned the following as per para 4.2.2.1.2 "Depreciation":

"The Commission observed that UPCL has considered opening grants of Rs. 3253.86 Crore towards opening GFA of Rs. 9223.23 Crore for FY 2023-24 as against the tried-up value of Rs. 3791.60 Crore....."







With regard to grants, the Petitioner has revised its grant contribution in the Opening GFA for FY 2023-24 and in the previous tariff proceeding while dealing with truing up of FY 2022-23 the Petitioner had submitted that there is a great difficulty in identifying the assets created out of grants and consumer contribution and corresponding depreciation to be charged as well as writing back of the same (in case of scrap) at the time of dismantling of such assets.....

UPCL, accordingly, requested the Commission to currently consider the value of Grants as per the Audited Accounts.....

The Commission, therefore, does not find any merit for such re-instatement of funding as no material explanation has been provided by UPCL. The Commission has, therefore, considered the amount of grant as approved by it in its Order dated March 28, 2024."

- 3.20. The status of grant as per books of account and as considered by the Hon'ble Commission is given below:

S. No.	Particular	As on March 2023 in Rs Cr.	As on March 2024 in Rs Cr.
A	GFA funded through grant as per Accounts	3253.86	3505.96
B	GFA funded through grant as per Hon'ble Commission	3962.23	4131.59
C = B-A	Excess grant considered by UERC	708.37	625.63

- 3.21. Due to consideration of grant more than the grant as per books of accounts, the claim on account of Depreciation, Interest on loan, Return on Equity and Interest on Working Capital has been allowed on a lower side to the Petitioner company for FY 2023-24 and FY 2025-26 which is an error apparent on the face of record and needs review of the Tariff Order in the matter.





Grounds for review

- 3.22. It is submitted in the matter that the Hon'ble Commission in the capitalization policy of Petitioner while approving the same had itself accepted that linking of receipts on capital grant, consumer contribution and subsidy to the creation of fixed assets and charging depreciation/writing back proportionate amount is practically not possible. Even M/s K.G. Somani & co. LLP, appointed by the Petitioner, could not identify the source of funding (grant and others) of capital assets.
- 3.23. The Petitioner further, would like to highlight that grant claimed is based on the audited accounts which have also undergone supplementary audit by CAG under Section 143 (6) (a) of the Company Act.
- 3.24. Hon'ble Commission is therefore requested to kindly consider the amount of grant as per audited accounts and allow return on the same accordingly.
- 3.25. The Petitioner would also like to highlight the fact that Hon'ble Commission in its Tariff Order dated 11.04.2025 had stated that it has considered the opening grants for FY 2023-24 as approved by it in its order dated March 28, 2024. The amount of grant in order dated March 28, 2024 was Rs 3791.60 Cr. however, Hon'ble Commission in its tariff order dated 11-04-2025 considered opening grants as Rs 3962.23 Cr which is an error apparent on the face of records. Details of trued-up value of grant as per order dated 28.03.2024 are as follows:

Opening GFA funded through grant as per Hon'ble Commission FY 2022-23	Rs 3623.47 Cr.
Approved addition during FY 2022-23	Rs 168.12 Cr.
Closing GFA funded through grant as per Hon'ble Commission Accounts FY 2022-23	Rs 3,791.60 Cr.







Additional claim based on differential value of grant as considered by Hon'ble Commission: Depreciation, Interest on loan, ROE, IoWC:

Additional claim for Depreciation:

3.26. The Petitioner submits that as per UERC Tariff Regulations 2021 & 2024, the depreciation is not allowed on assets funded through Consumer Contribution and Capital Subsidies/Grants. Consideration of excess grant by Hon'ble Commission has resulted into lower depreciation allowed to the Petitioner.

3.27. The depreciation allowed by Hon'ble UERC for FY 2023-24 and FY 2025-26 is as follows:

(in Rs Crores)			
S. No.	Particulars	Approved by UERC for FY 2023-24	Approved by UERC for FY 2025-26
1	Opening GFA	8738.34	10082.06
2	Opening GFA (created out of grants)	3962.23	4524.54
3	Opening GFA (of assets not created out of grants)	4776.11	5557.52
4	Additions during the year (of assets not created out of grants)	315.68	234.27
5	Closing GFA (of assets not created out of grants)	5091.79	5791.79
6	Weighted average rate of depreciation	3.24%	3.24%
7	Depreciation	154.75	180.19

3.28. The additional claim of depreciation on account of excess grant considered by Hon'ble UERC is as follows:

(in Rs Crores)			
S. No.	Particulars	Claim for FY 2023-24	Claim for FY 2025-26
1	Excess grant considered by UERC in opening GFA	708.37	625.63
2	Weighted average rate of depreciation	3.24%	3.24%
3	Additional claim for Depreciation	22.95	20.27







- 3.29. The Petitioner again humbly submits that there is an error apparent on the face of records and prays the Hon'ble Commission to allow the additional claim made under Depreciation for FY 2023-24 & FY 2025-26.

Additional claim for Interest on Loan:

- 3.30. The Petitioner submits that as per UERC Tariff Regulations 2021 and 2024, any grant obtained for the execution of the project shall not be considered as a part of capital structure for the purpose of debt: equity ratio. Consideration of excess grant by Hon'ble Commission has resulted into lower debt on normative basis. Based on above submissions additional claim under this head works out as below:

(in Rs Crores)		
Particular	Claim for FY 2023-24	Claim for FY 2025-26
Excess grant considered by UERC in opening GFA	708.37	625.63
Debt portion in Opening Excess grant considered by UERC (70%)	495.86	437.94
Rate of Interest (Wt. avg rat of interest in FY 2023-24)	8.56%	8.56%
Additional Claim for Interest on Loan	42.45	37.49

- 3.31. The Petitioner again humbly submits that there is an error apparent on the face of records and prays the Hon'ble Commission to allow the additional claim made under Interest on Loan for FY 2023-24 & FY 2025-26.

Additional claim for ROE:

- 3.32. The Petitioner submits that as per UERC Tariff Regulations 2021 and 2024, any grant obtained for the execution of the project shall not be considered as a part of capital structure for the purpose of debt: equity ratio. Consideration of excess grant by Hon'ble Commission has resulted into lower equity base on normative basis. Based on above submissions additional claim under this head work out as below:

(in Rs Crores)		
Particular	Claim for FY 2023-24	Claim for FY 2025-26
Excess grant considered by UERC in opening GFA	708.37	625.63
Equity portion in Opening Excess grant considered by UERC (30%)	212.51	187.69
Rate of Return of Equity	16.50%	16.50%
Additional Claim for Return on Equity	35.06	30.97

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3.33. The Petitioner again humbly submits that there is an error apparent on the face of records and prays the Hon'ble Commission to allow the additional claim made under Return on Equity for FY 2023-24 & FY 2025-26.

C. K- Factor for determining R&M Expenses during the 5th Control Period i.e. FY 2025-26 to FY 2027-28 and R&M expenses for FY 2025-26.

3.34. The Petitioner in its Petition dated 26.12.2024, for each year of the 5th Control Period i.e. FY 2025-26 to FY 2027-28 had proposed the K factor as follows:

Particular	K-Factor
K Factor FY 2025-26	4.39%
K Factor FY 2026-27	4.65%
K Factor FY 2027-28	4.92%

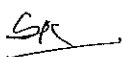
Commission's Observation

3.35. Hon'ble Commission in its Order dated April 11, 2025, has mentioned the following as per para 5.10.2.2 "R&M expenses":

".....The Commission has, therefore, considered the actual R&M expenses of Rs. 228.53 Crore, Rs. 312.59 Crore and Rs. 302.13 Crore for FY 2021-22, FY 2022-23, and FY 2023-24 respectively. The Commission has then computed the percentage of actual R&M expenses to opening GFA of the respective year from FY 2021-22 to FY 2023-24, and considered the average of such percentages as K factor which works out to 3.56%. Accordingly, the Commission has approved the K factor of 3.56% for each year of the Fifth Control Period."

3.36. Further the Hon'ble Commission has observed in its order dated 11-04-2025 as follows:

"Further, it is observed that, "Manpower Supply through Contractors", "Metering Equipments" and "Overhead Lines requirements-reinforced concrete support" has substantially increased from Rs. 124.46 Crore in FY 2022-23 to Rs. 212.36 Crore in FY 2023-24. The Commission during the tariff proceedings asked the Petitioner to submit reasons for such huge increase in R&M expenses in FY 2023-24 vis-à-vis FY 2022-23, in response to which the Petitioner submitted that the same was on account of reconstruction works against damages due to disasters, increase in distribution infrastructure, cost of meter replacement and expenses incurred to secure valuable assets located in the State. The Commission is of the







opinion that considering any abnormal increase in any cost component of R&M expenses which are not recurring in nature for projecting K factor would distort the projections and, therefore, the abnormal increase of almost Rs. 88 Crore in R&M expenses, in light of the justifications submitted by the Petitioner, cannot be projected to continue in the ensuing period. The Commission, accordingly, for determining the K factor, has reworked the expenses under "Manpower Supply through Contractors", "Metering Equipments" and "Overhead Lines requirements-inforced concrete support" for FY 2023-24, by applying the WPI inflation of 7.90% for FY 2023-24 on the actual expenses of FY 2022-23 which works out to Rs. 302.13 Crore."

- 3.37. The Commission has computed the percentage of actual R&M expenses to the opening GFA of the respective year from FY 2021-22 to FY 2023-24 and considered the average of such percentages as K factor. Further, while determining K factor, Hon'ble Commission has considered Rs. 302.13 Crore as actual R&M expenses of FY 2023-24 instead of Rs 380.20 Cr. citing abnormal increase and non-recurring nature expenses.
- 3.38. Accordingly, the Commission has approved the K factor of 3.56% for each year of the Fifth Control Period.

Grounds for Review

- 3.39. The Petitioner submits that K factor/R&M expenses has increased in recent years on account of improvement in network reliability. The Petitioner is incurring higher actual expenditure on R&M expenses vis-à-vis approved by the Commission in order to improve consumer services. Disallowance of R&M expenses causes huge financial burden on Petitioner's Day to day operations. The details of actual K-factor in last 5 years are as follows:

FY	Opening GFA as per accounts (Rs Crores)	R&M (Rs Crores)	R&M as % of GFA
FY 2019-20	5864.59	177.68	3.03%
FY 2020-21	6178.11	194.87	3.15%
FY 2021-22	6975.56	228.45	3.28%
FY 2022-23	8406.43	312.59	3.72%
FY 2023-24	9223.23	380.2	4.12%

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3.40. It is also worth mentioning that permanent manpower recruitment has been deferred since many years and UPCL has to engage manpower through contractors for carrying out O&M activities. These expenses are also booked under R&M head.

3.41. The Petitioner further submits that R&M expenses also accounts for reconstruction works against damages due to disasters. In past few years expenses of reconstruction work due to disaster has been increased significantly. In FY 2023-24, works amounting to Rs 35.22 Crores are done due to disaster. As disaster relief funds from GoU are limited (Rs 13.55 Crs in FY 2023-24), Petitioner has to carry out these expenses from its own resources to ensure reliable and continuous power supply. Details of expenses incurred due to disaster and corresponding aid from GoU in FY 2023-24 are as follows:

Sl.	District	Transformer (Nos.)	Pole (Nos.)	11 kV & LT lines (km)	Repair & Strengthening Amount (Rs Lakhs)	Funds from SDRF/NDRF (Rs Lakh)
1	Almora	37	124	7.05	93.96	46.73
2	Bageshwar	18	26	1.89	29.31	20.25
3	Nanital	55	261	13.57	198.21	74.84
4	Udhamsingh Nagar	169	462	46.14	279.55	215.17
5	Champawat	22	57	0.00	54.25	24.85
6	Pithoragarh	48	24	44.91	225.89	71.66
7	Dehradun	29	320	31.56	224.69	60.78
8	Tehri	49	971	338.10	772.98	266.60
9	Pauri	42	665	101.11	350.31	125.81
10	Rudraprayag	11	340	35.00	262.97	45.50
11	Chamoli	22	334	22.70	137.24	50.05
12	Uttarkashi	7	495	64.48	353.334	63.99
13	Haridwar	118	708	72.64	439.69	189.72
Total		627	4787	779.1	3422.384	1255.92
Damage of 33/11 kV sub-station at Virbhadra					100.00	100.00
Grand Total					3522.38	1355.92

3.42. Similar trend is also observed in FY 2024-25, along with reconstruction work of line and poles, petitioner had to shift 3 nos. 33/11 kV sub-stations in sonprayag, Guptkashi and Ukhimath due to landslides. In FY 2024-25 also, the Petitioner has to carryout these expenses from its own resources.

3.43. The Petitioner would also like to highlight that due to lower normative R&M expenses approved by Hon'ble Commission in the past, there has been financial losses to Petitioner as follows:

SLC

(Rs Crores)

FY	Actual R&M	Approved R&M	Loss to Petitioner
FY 2018-19	137.66	121.9	15.76
FY 2019-20	177.68	162.43	15.25
FY 2020-21	194.87	185.1	9.77
FY 2021-22	228.45	207.31	21.14
FY 2022-23	312.59	260.36	52.23
FY 2023-24	380.2	322.49	57.71

3.44. The Regulation 84 of the UERC MYT Regulations 2024 specifies methodology for computation of R & M expenses as follows:

"(1) The O&M expenses for the first year of the Control Period shall be approved by the Commission taking into account the actual O&M expenses for last five years till Base Year subject to prudence check and any other factors considered appropriate by the Commission.

(2) The O&M expenses for the nth year and also for the year immediately preceding the Control Period, i.e. 2024-25, shall be approved based on the formula given below:-

$$O\&M_n = R\&M_n + EMP_n + A\&G_n$$

Where -

- *O&M_n - Operation and Maintenance expense for the nth year;*
- *EMP_n - Employee Costs for the nth year;*
- *R&M_n - Repair and Maintenance Costs for the nth year;*
- *A&G_n - Administrative and General Costs for the nth year;*

(3) The above components shall be computed in the manner specified below:

.....

$$R\&M_n = K \times (GFA_{n-1}) \times (1+WPI_{inflation}) \text{ and } \dots\dots\dots$$

Where -

.....



- 'K' is a constant specified by the Commission in %. Value of K for each year of the control period shall be determined by the Commission in the MYT Tariff order based on licensee's filing, benchmarking of repair and maintenance expenses, approved repair and maintenance expenses vis-à-vis GFA approved by the Commission in past and any other factor considered appropriate by the Commission;
- CPI inflation – is the average increase in the Consumer Price Index (CPI) for immediately preceding three years;
- WPI inflation – is the average increase in the Wholesale Price Index (CPI) for immediately preceding three years;

.....”

- 3.45. The Petitioner humbly submits that Tariff Regulation, 2024 do not specifically mention that average value should be use for determining K-factor. K-factor based on latest audited R&M expenses and corresponding opening GFA would be more practical.
- 3.46. The Petitioner humbly submits that the Actual k-factor for FY 2023-24 works out to be 4.12%. It should be considered as base K factor & escalated with WPI to determine k factor for FY 26 to FY 28.
- 3.47. The Petitioner would also, like to highlight the fact that actual R&M expenses claimed are based on audited accounts which have also undergone supplementary audit by CAG under Section 143 (6) (a) of the Company Act.
- 3.48. In addition to above, the Petitioner submits that it has referred tariff orders / regulations of various states and found that UP Electricity Regulatory Commission (UPERC) for assets Commission till March 2025 has allowed R & M expenses as 5% of the GFA. The relevant portion of the UPERC MYT Regulation, 2025 is reproduced as below:





"33.7 The normative Repair and Maintenance expense shall be allowed in the ARR/ True-up by the Commission as the sum of the following:-

- (a) For the assets capitalised on or before 31.03.2025 @ 5% of the opening GFA as approved by the Commission.
- (b) For the assets capitalised after 31.03.2025 @ 3% of the opening GFA as approved by the Commission:

....."

3.49. The Petitioner humbly request Hon'ble Commission to revise K-factor for the 5th Control Period as follows:

Opening GFA for FY 24 as per accounts (Rs Cr.) (a)	9223.23
R&M expenses as per account (Rs Cr.) (b)	380.2
Actual K factor for FY 2023-24 (c=b/a)	4.12%
WPI inflation for FY 25 (d)	5.46%
Proposed K factor for FY 26 (e=c*(1+d))	4.35%

3.50. Further, additional R & M expenses for FY 2025-26 works out to be as:

Approved K factor	3.56%
Claimed K factor (as per approved GFA)	4.35%
Difference in K Factor	0.79%
Opening GFA Approved for FY 2025-26	10082.06
WPI inflation	3.65%
R&Mn = K x (GFAn-1) x (1+WPI inflation) (Rs Crores)	82.27

3.51. The Petitioner again humbly submits that there is an error apparent on the face of records and prays the Hon'ble Commission to allow the additional claim made for FY 2025-26.

SK





D. Distribution loss reduction trajectory approved for the 5th Control Period i.e. FY 2025-26 to FY 2027-28.

3.52. The Hon'ble Commission vide its Tariff order dated 11.04.2025 had also approved the Business Plan of the Petitioner comprising of sales, distribution losses, collection efficiency, Power procurement plan etc. for the 5th control period from FY 2025-26 to FY 2027-28.

Commission's observations

3.53. Hon'ble Commission vide its said order has approved the following distribution loss trajectory against the Petitioner's proposed figures as follows:

Particular	FY 2025-26		FY 2026-27		FY 2027-28	
	Claimed	Approved	Claimed	Approved	Claimed	Approved
Distribution losses	13.50%	12.75%	13.21%	12.25%	12.95%	11.75%

3.54. Hon'ble Commission in its Order dated April 11, 2025, has mentioned the following as per para 4.12 "Distribution loss":

"The Commission observes that the Petitioner has been carrying out regular capital expenditure to reduce distribution loss which have been allowed by the Commission from time to time and as no plausible reason has been offered by UPCL for lower billing efficiency when meter reading activity has majorly been outsourced by UPCL....

.... It is further observed that in some of the towns covered under RAPDRP, the billing efficiency is as low as 36%. Hence, the Commission does not find any reason to allow actual losses to UPCL as claimed by it....."

Grounds for review

3.55. The Petitioner humbly submits that as per Regulation 4(d) of the UERC MYT Regulations 2024 trajectory should be based on actual performance data of the applicant. The relevant portion of the regulation is reproduced below:

"Trajectory for specific parameters as may be stipulated by the Commission based on submissions made by the Licensee, actual performance data of the Applicants and performance achieved by similarly placed utilities."

3.56. In the past decade, the Petitioner has been successful in reducing losses from 18.39% in FY 2015-16 to 13.89% in FY 2023-24. Details of approved and actual distribution losses since FY 2015-16 are as follows:

Year	Approved by the Commission in ARR	Actual as per Petitioner
2015-16	15.00%	18.39%
2016-17	15.00%	16.68%
2017-18	14.75%	15.17%
2018-19	14.50%	14.32%
2019-20	14.25%	13.40%
2020-21	14.00%	13.96%
2021-22	13.75%	14.15%
2022-23	13.50%	14.38%
2023-24	13.25%	13.89%
2024-25	13.00%	-

3.57. As per clause 10.1.2 of the CEA Electricity Distribution Network Planning Criteria, 2023, technical losses are more in LT lines as higher current flows in the low voltage (LT) lines for the same amount of power in comparison to HT lines. To achieve better level of network losses, the HT:LT ratio should be 1 or higher. The HT:LT ratio in Uttarakhand is 0.72 (HT - 55089 Ckt KM, LT- 76161 Ckt. KM) resulting in higher distribution technical losses.

3.58. It is also to be noted that as per RDSS scheme the AT&C loss trajectory approved for UPCL is 14.99% for FY 2023-24. Considering a collection efficiency of 99.15% (as approved by the Hon'ble Commission), the target Distribution Loss for UPCL as per RDSS scheme comes to 14.26% for FY 2023-24. UPCL has been able to achieve this target with actual loss level of 13.89%.

3.59. Further, as per PFC performance of power utilities report for FY2023-24, distribution losses of UPCL are lower than 25 utilities in the country, including DISCOMs in states like Uttar Pradesh, Chhattisgarh, West Bengal, Maharashtra, Odisha etc.







3.60. In accordance with the facts presented above, it is humbly requested that the Commission should consider the actual loss level of 13.89% for FY 2023-24 (i.e. Base Year) for approval of distribution loss target for each year of 5th Control Period.

3.61. The proposed distribution loss trajectory for the 5th Control Period i.e. FY 2025-26 to FY 2027-28 is as follows:

Particular	FY 2025-26	FY 2026-27	FY 2027-28
Distribution losses	13.50%	13.21%	12.95%

3.62. The additional claim based on proposed distribution losses for FY 2025-26 is as follows:

Particular	Additional Claim
Total sales with efficiency improvement (MU)	15121.76
Distribution losses (%)	13.50%
Energy at Distribution periphery (MU)	17481.80
PTCUL Loss (%)	1.03%
Claimed Energy required at State periphery (MU)	17663.74
Approved Energy required at State periphery (MU)	17511.90
Additional Energy required at State periphery (MU)	151.84
Short Term Power Purchase rate approved for FY 2025-26 (Rs / kWh)	4.93
Additional Claim of Power Purchase Cost due to distribution losses. (Rs Cr.)	74.86

3.63. The Petitioner again humbly submits that there is an error apparent on the face of records and prays the Hon'ble Commission to allow the additional claim made for FY 2025-26.

Additional claim for Interest on Working Capital

3.64. The Petitioner submits that the working capital is based on the amount of ARR consisting of DPS, Interest on loan, return on equity, depreciation etc. therefore on account of the above additional claims of ARR, the Interest on working capital has been computed as follows:





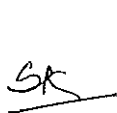


(in Rs Crores)			
S. No.	Particulars	Claim for FY 2023-24	Claim for FY 2025-26
1	O&M expenses for 1 month	-	6.86
2	Maintenance Spares	-	12.34
3	2 months of expected revenue at prevailing tariffs	38.77	63.79
4	Capital required to finance shortfall in collection of current dues	1.98	3.25
5	Net Working Capital	40.75	86.24
6	Rate of Interest on Working Capital	11.30%	12.07%
7	<i>Interest on Working Capital</i>	4.60	10.41
8	Pro-rata reduction due to smart meter installation	-	2.64 (25.32%)
9	Net Interest on Working Capital	4.60	7.77
10	Sharing of Gain & Loss (IoWC)	-1.53	-
11	Additional claim for Interest on working capital after sharing	3.07	7.77

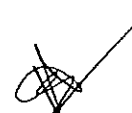
3.65. The Petitioner again humbly submits that there is an error apparent on the face of records and prays the Hon'ble Commission to allow the additional claim made under Interest on Working Capital for FY 2023-24 & FY 2025-26.

Carrying cost for FY 2023-24

3.66. The Petitioner submits that the additional claim on the above heads excluding carrying cost is Rs. 232.62 Cr. Since the year has been completed and the above revenue gap can be recovered only in FY 2025-26 tariff, the carrying cost needs to be allowed till the recovery of the same in FY 2025-26. Accordingly, the carrying cost on the additional revenue claimed for FY 2023-24 is computed below and the same is in line with the provisions of Tariff Regulations.







(in Rs Crores)

S. No.	Particulars	FY 2023-24	FY 2024-25	FY 2025-26
1	Opening Revenue Gap	-	245.76	275.43
2	Add: Revenue Gap during the year	232.62	-	-
3	Closing Revenue Gap	232.62	245.76	275.43
4	Interest rate	11.30%	12.07%	12.07%
5	Months for the year	6	12	6
6	Carrying cost	13.14	29.66	16.62
7	Revenue gap + Carrying cost	245.76	275.43	292.05

3.67. The Petitioner prays the Hon'ble Commission to allow the additional carrying cost amounting to Rs. 59.43 Cr.

Additional claim of ARR for FY 2023-24 & FY 2025-26

3.68. Based on the above submissions, the summary of Additional claim of ARR for FY 2023-24 & FY 2025-26 is presented below:

Sl.	Particulars	Additional claim of ARR for FY 2023-24	Additional claim of ARR for FY 2025-26	Total
		(Rs. Cr)	(Rs. Cr)	(Rs. Cr)
1	Power Purchase cost		74.86	74.86
2	Depreciation	22.95	20.27	43.22
3	Interest on Loan	42.45	37.49	79.93
4	Return on Equity	35.06	30.97	66.03
6	Delayed Payment Surcharge on receivables from GoU	129.09	129.09	258.18
8	R&M Expenses	-	82.27	82.27
9	Interest on working capital after sharing of Gain/Loss	3.07	7.77	10.84
10	Additional ARR	232.62	382.72	615.34
11	Carrying Cost	59.43		59.43
12	Total additional ARR including Carrying cost	292.05	382.72	674.77

3.69. The Petitioner prays the Hon'ble Commission to approve the additional ARR including carrying cost & corresponding revenue amounting to Rs. 674.77 Cr for FY 2023-24 & FY 2025-26.

Tariff Hike required (April 2025 – March 2026)

3.70. The Petitioner submits that as against the additional claim of ARR of Rs. 674.77 Cr, the increasing in existing tariff is required at the rate of 5.82 % (Rs. 0.45 per unit) which is computed as follows:

1. Additional claim/Tariff revenue approved in the Tariff Order FY 2025-26 - Rs. 674.77 Cr/ Rs. 11603.14 Cr = 5.82% and
2. The energy sales approved by the Hon'ble Commission for FY 2025-26 is 15121.76 MUs. Hence, the additional per unit tariff hike required from April 2025 to March 2026 is computed as: $674.77 / 15121.76 \times 10 = \text{Rs. } 0.45 \text{ per unit.}$

3.71. The Petitioner has computed the category wise additional energy charge as per the formula specified by Hon'ble Commission for computation of FPPCA in Regulation 83 of Tariff Regulation, 2024.

"Category wise FPPCA charge (Rs/kWh) shall be calculated as per the following formula:

(Average Billing Rate (ABR) of Consumer Category (in Rs./kWh) as approved in Tariff Order for the year/Average Billing rate (ABR) of Distribution Licensee (in Rs./kWh) as approved in Tariff Order for the year) x Average FPPCA (in Rs./kWh)"

3.72. The Petitioner proposes the Hon'ble Commission to allow this tariff hike termed as additional energy charge as per table given here in below.

S. No.	Category	Average Billing Rate
1	Domestic (RTS -1)/ Concessional Snowbound Area (RTS -1A)	
1.1	Lifeline Consumers (RTS - 1)/ Concessional Snowbound Area (RTS - 1A)	Rs 0.13/Kwh
1.2	Consumers (Metered) (RTS-1)	<u>Rs. 0.36 /Kwh</u> Rs. 0.32 /kVAh
2	Non- Domestic (RTS-2)	<u>Rs. 0.52 /Kwh</u> Rs. 0.49 /kVAh
3	Government Public Utilities (RTS - 3)	Rs 0.49/kVAh
4	Private Tubewells/Pumping Sets (RTS-4)	Rs 0.16/Kwh
5	Agriculture Allied Activities (RTS -4A)	

S. No.	Category	Average Billing Rate
5.1	Upto 25 kW	Rs 0.22/Kwh
5.2	Above 25 kW & upto 75 kW	Rs 0.24/KVAh
5.3	Above 75 kW	Rs 0.26/KVAh
6	LT Industries (RTS-5)	<u>Rs. 0.48 /Kwh</u> Rs. 0.47/kVAh
7	HT Industries (RTS-5)	Rs 0.47/kVAh
8	Mixed Load (RTS-6)	Rs 0.45/kVAh
9	Railway Traction (RTS-7)	Rs 0.44/kVAh
10	Electric Vehicle Charging Stations (RTS-8)	Rs 0.44/Kwh
11	Temporary supply for other construction works	Rs 0.55/kVAh

3.73. The Petitioner prays the Hon'ble Commission to approve the additional tariff hike as additional energy charge for FY 2025-26.

4. Cause of Action:

Hon'ble Commission vide its Tariff Order dated 11.04.2025 has disallowed various expenses for FY 2023-24. Disallowance of various expenses is error apparent on the face of record resulting in financial loss to the Petitioner company. With a view to recovery of expenses which have been wrongly disallowed by the Hon'ble Commission, this Petition is being filed before the Hon'ble Commission.

5. Ground of Relief:

The ground of relief is the same as mentioned at para 4 above.

6. Details of Remedies Exhausted:

As the Hon'ble Commission is the Appropriate Authority to consider the matter, no remedies have been sought from any other Forum /Court/ Authority etc.

7. Matter not previously filed or pending with any other court:

As the Hon'ble Commission is the Appropriate Authority to consider the matter, the application is being filed only before the Hon'ble Commission and no other application is pending in the matter with any other Court.







8. Relief sought:

The Petitioner Company prays that the Hon'ble Commission may kindly be pleased to:

- 8.1 Take this accompanying review Petition on record;
- 8.2 Condone delay in submission of this Petition;
- 8.3 Grant and expeditious hearing of the Petition;
- 8.4 Review the impugned order dated 11-04-2025;
- 8.5 Accept the claim of additional ARR of Rs. 674.77 Cr. as a result of such review as mentioned hereinabove;
- 8.6 Approve 5.82 % hike in the existing tariff as approved in the impugned order dated 11-04-2025 and make the said hike applicable w.e.f. 01-04-2025. In case the said tariff hike is allowed from a date after 01-04-2025, the rate of tariff hike may be increased proportionately.
- 8.7 This Tariff hike may be named as Additional Energy Charge; and
- 8.8 Pass any such other order/s and/or direction/s, which the Hon'ble Commission may deem fit and proper in the facts and circumstances of the case.

9. Interim Order, if any, prayed for:

No prayer for interim order has been made.

10. Details of Index:

S. No.	Particulars	Page No.
1.	Review Petition	1-26
2.	Affidavit verifying the review Petition	27-28
3.	Annexure - A (Minutes of meeting held on 15.10.2012 in the chamber of Secretary Finance, Government of Uttarakhand (GoU))	29-32

11. Particulars of fee remitted:

Application fee amounting to Rs. 1,00,000.00 (Rs. One Lakh) only has been deposited in the bank account of Hon'ble UERC on dated 10.07.2025.

SPK

[Signature]

[Signature]

12. List of Enclosures:

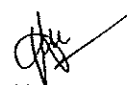
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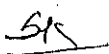
For and on behalf of
Uttarakhand Power Corporation Limited


(Anil Kumar)
Managing Director

Verification

I, Anil Kumar, S/o Shri Rajpati, aged about 61 years, working as Managing Director, Uttarakhand Power Corporation Limited, VCV Gabar Singh Urja Bhawan, Kanwali Road, Dehradun do hereby verify that the contents of Paras 1 to 12 are derived from official records, which are true to my personal knowledge and that I have not suppressed any material fact.


(Anil Kumar)
Managing Director
Uttarakhand Power Corporation Limited









सत्यमेव जयते



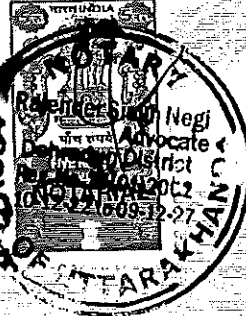
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Government of Uttarakhand

e-Stamp

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Unique Doc. Reference : SUBIN-UKUK132310454201727509174X
Purchased by : UPCL DEHRADUN
Description of Document : Article 4 Affidavit
Property Description : NA
Consideration Price (Rs.) : 0
(Zero)
First Party : UPCL DEHRADUN
Second Party : NA
Stamp Duty Paid By : UPCL DEHRADUN
Stamp Duty Amount(Rs.) : 10
(Ten only)



File No.
Case No.

GOVERNMENT OF UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

In the matter of:

Petition seeking review of the Tariff Order issued by Hon'ble Commission on 11-04-2025 on the Petitions of the Business Plan and Multi Year Tariff for Fifth Control Period from FY 2025-26 to FY 2027-28 & Tariff Determination for FY 2025-26 along with True up for FY 2023-24.

An

In the matter of:

Uttarakhand Power Corporation Limited.

Petitioner

AFFIDAVIT VERIFYING THE PETITION

I, Anil Kumar, S/o Shri Rajpati, aged about 61 years, working as Managing Director - Uttarakhand Power Corporation Limited, VCV Gabar Singh Bhawan, Kanwali Road, Dehradun, the deponent named above do hereby solemnly affirm and state on oath as under:

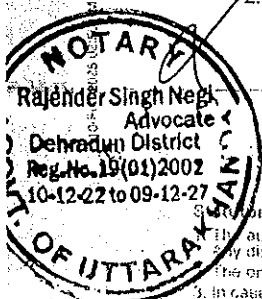
- That the deponent is the Managing Director of Uttarakhand Power Corporation Limited who is authorized as per resolution of the company and is acquainted with the facts deposed to below.
- I, the deponent named above do hereby verify that the contents of the paragraph No.-1 of the affidavit and those of the paragraph no. 1 to 12 of the accompanying petition are based on the perusal of records which I believe to be true and verify that no part of this affidavit is false and nothing material has been concealed.

Deponent

(Anil Kumar)

Managing Director

Uttarakhand Power Corporation Limited.



Important Alert:

- The authenticity of this Stamp certificate should be verified at 'www.shcilestamp.com' or using e-Stamp Mobile App of Stock Holding Corporation of India Limited.
- Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
- The onus of checking the legitimacy is on the users of the certificate.
- In case of any discrepancy please inform the Competent Authority.

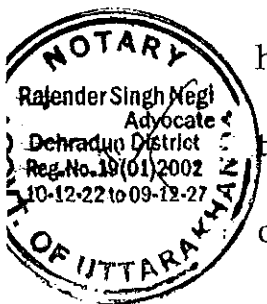
I, Anil Prasad Ranakoti....., Advocate, do hereby declare that the person making this affidavit is known to me through the perusal of records and I am satisfied that he is the same person alleging to be deponent himself.

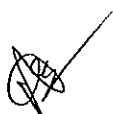

(.....)

Advocate
R.N. - 5154/04

Solemnly affirmed before me on this 11..... day of July 2025..... by the deponent who has been identified by the aforesaid advocate.

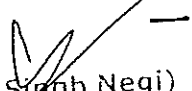
I have satisfied myself by examining the deponent that he understood the contents of the affidavit which has been read over and explained to him. He has also been explained about section 193 of Indian Penal Code that whoever intentionally gives false evidence in any of the proceedings of the Commission or fabricates evidence for purpose of being used in any of the proceedings shall be liable for punishment as per law.





(Notary Public)

This affidavit is sworn before me by
Shri. Anil Kumar
who is identified by Shri Anil Prasad Ranakoti
at Dehradun on.....


(Rajender Singh Negi)
Advocate & Notary, Dehradun

APR 26 1962

6- स्टील लार्ड्स, जल निगम व जल सारधान तथा सिंचाई विभाग के विरुद्ध लघित विधुत देया की अवरोध समरशि के भुगतान के सम्बन्ध मे निर्णय लिया गया कि सम्बन्धित विभाग के अधिकारियों की एक बैठक पैतल विभाग उपतराखण्ड शासन मे की जाये। दस बैठक मे सम्बन्धित विभाग के अधिकारियों से गवर्नर याशि के भुगतान के विषय मे सिंचाई विभागीय अरु अधिम कार्यवाही की जाये।

इस प्रसंग में निर्णय लिया गया कि राज्य सरकार द्वारा वित्तीय वर्ष 2012-13 में बाणेश्वरी की समस्त धनराशि को यूपीसीएल की भ्रष्टाचारी के रूप में परिवर्तित करने की कार्यवाही की जाये।

8- यूपीसीएल के गठन तथा उत्तराखण्ड शासन के निर्णय के अनुक्रम में सामान्य आतिथ्य निधि (ट्रास्ट) यूपीसीएल को देय धनसंशि एच. 299 नं.वेब 31-03-2012 तक के विषय में निर्णय अलग से लिया जायेगा।

(राधा रतुही)
पवित्र, शिव, विष्णु, ब्रह्मा
कृष्णाक्षर राधा

(का० प्रस० एस० सन्ध्या)
सन्धि,
जन्म एवं देवताक जन्म
उत्पत्ति शक्ति।

पुस्तक संख्या, विभाग, वर्ष
कलाशाला का नाम
पुस्तक संख्या, विभाग, वर्ष
कलाशाला का नाम

उत्तराखण्ड शासन

ਅੰਕ - ਪੰਨਾ - 2

~~105-155110-1204~~

दिनांक 26 नवम्बर 2011

संविधान के अनुच्छेद 308 में उल्लिखित है कि राज्य सरकार को अधिकार प्राप्त है कि वह अपने अधिनियमों द्वारा राज्य के अन्दर व्यापक शक्ति प्रदान करेगी।

विष्णु, लक्ष्मी, कर्मा, उत्तम, दातक

अवध निदेशिका, पृ. १०१, भा. १, दि. २५/११/२०१७

संज्ञा संख्या : १ मा. सी. लि. ५४३५

(Sd/-) [Signature] Jishi
[Name]
[Address]

Readable Copy of Annexure - 'A'

सचिव (वित्त), उत्तराखण्ड शासन के कक्ष में दिनांक 15-10-2012 (सांयकाल 4:00 बजे) को
आहूत बैठक का कार्यवृत्त

उपस्थिति:

- 1- डा0 एस0एस0 संधू, सचिव, ऊर्जा विभाग, उत्तराखण्ड शासन।
- 2- श्रीमति राधा रतूड़ी, सचिव, वित्त विभाग, उत्तराखण्ड शासन।
- 3- डा0 एम0सी0 जोशी, अपर सचिव, वित्त विभाग, उत्तराखण्ड शासन।
- 4- श्री एम0सी0 उप्रेती, अपर सचिव, ऊर्जा विभाग, उत्तराखण्ड शासन।
- 5- श्री अनिल मित्तल, निदेशक (वित्त), उत्तराखण्ड पावर कारपोरेशन लि0।
- 6- ई0 अनिल कुमार, निदेशक (परिचालन) एवं अधिशासी निदेशक (वाणिज्य), उत्तराखण्ड पावर कारपोरेशन लि0।

बैठक की कार्यवाही का विवरण निम्नवत् है:-

- 1- यू0पी0 इलैक्ट्रीसिटी (ड्यूटी) एक्ट, 1952 के प्रावधानों के अन्तर्गत इलैक्ट्रीसिटी ड्यूटी की बकाया राशि पर 18 प्रतिशत प्रतिवर्ष की दर से ब्याज देय है, जबकि यूपीसीएल बकाया राशि पर 15 प्रतिशत प्रतिवर्ष की दर से सरचार्ज चार्ज करता है।
इस सम्बन्ध में वर्तमान में प्रचलित ब्याज दरों पर को ध्यान में रखते हुए निर्णय लिया गया कि इलैक्ट्रीसिटी ड्यूटी की बकाया राशि पर 15 प्रतिशत प्रतिवर्ष की दर से ब्याज लगाने की कार्यवाही की जाये।
- 2- यूपीसीएल द्वारा 30-09-2012 को फी पावर, इलैक्ट्रीसिटी ड्यूटी एवं सैस व रायल्टी मद में रू0 1367 करोड़ राज्य सरकार को देय है। इसके विपरीत राज्य सरकार के उपक्रमों पर विद्युत चार्जज मद में रू0 462.87 करोड़ मूलधन + रू0 395.27 करोड़ सरचार्ज = कुल रू0 858.14 करोड़ यूपीसीएल के बकाया है।
इस सम्बन्ध में निर्णय लिया गया कि राज्य सरकार तथा इसके उपक्रमों द्वारा यूपीसीएल को देय एवं यूपीसीएल द्वारा राज्य सरकार को देय धनराशि पर ब्याज/सरचार्ज के भुगतान की देयता नहीं होगी।
- 3- दिनांक 30-09-2012 को स्ट्रीट लाईट पर विद्युत बकाया राशि (मूलधन) रू0 107.18 करोड़ है।
तृतीय राज्य वित्त आयोग की सिफारिशों के क्रम में निर्णय लिया गया कि राज्य सरकार द्वारा वित्तीय वर्ष 2012-13 में अनुमन्य धनराशि का भुगतान 50 प्रतिशत नकद एवं 50 प्रतिशत पुस्तक समायोजन के माध्यम से यूपीसीएल को करने की कार्यवाही की जाये।
- 4- दिनांक 30-09-2012 को जल निगम व जलसंस्थान पर विद्युत बकाया राशि (मूलधन) रू0 237.30 करोड़ है।







इस सम्बन्ध में निर्णय लिया गया कि राज्य सरकार द्वारा वित्तीय वर्ष 2012-13 में ₹0 55 करोड़ की धनराशि का भुगतान 50 प्रतिशत नकद एवं 50 प्रतिशत पुस्तक समायोजन के माध्यम से यूपीसीएल को करने की कार्यवाही की जाये। इस सम्बन्ध में उल्लेखनीय है कि राज्य सरकार के आदेश संख्या-1043/ उन्तीस(2)/ 12-2(02पे0) / 2001, दिनांक 23-08-2012 द्वारा ₹0 25 करोड़ धनराशि का भुगतान रायल्टी के भुगतान का समायोजन करते हुए किया जा चुका है। अतः वित्तीय वर्ष 2012-13 में अवशेष धनराशि ₹0 30 करोड़ का भुगतान राज्य सरकार द्वारा यूपीसीएल को करने की कार्यवाही की जाये।

- 5- दिनांक 30-09-2012 को सिंचाई विभाग पर विद्युत बकाया राशि (मूलधन) ₹0 118.39 करोड़ है।

इस सम्बन्ध में निर्णय लिया गया कि राज्य सरकार द्वारा वित्तीय वर्ष 2012-13 में वर्तमान वर्ष के विद्युत देयों के भुगतान हेतु बजट प्रावधान किया गया है। यदि विद्युत देयों की राशि बजट प्रावधान से अधिक होती है तो अवशेष धनराशि का प्रावधान अनुपूरक बजट में करने की कार्यवाही की जाये। इसके अतिरिक्त 31.03.2012 को लम्बित बकाया राशि के 50 प्रतिशत का भुगतान राज्य सरकार द्वारा यूपीसीएल को वित्तीय वर्ष 2012-13 में पुस्तक समायोजन के माध्यम से करने की कार्यवाही की जाये।

- 6- स्ट्रीट लाईट, जल निगम व जल संस्थान तथा सिंचाई विभाग के विरुद्ध लम्बित विद्युत देयों की अवशेष धनराशि के भुगतान के सम्बन्ध में निर्णय लिया गया कि सम्बन्धित विभाग के अधिकारियों की एक बैठक वित्त विभाग, उत्तराखण्ड शासन में की जाये। इस बैठक में सम्बन्धित विभाग के अधिकारियों से बकाया राशि के भुगतान के विषय में विचार विमर्श कर अग्रिम कार्यवाही की जाये।

- 7- 30-09-2012 को यूपीसीएल पर स्टेट प्लान ऋण, डिस्ट्रिक्ट प्लान ऋण तथा इलैक्ट्रीसिटी ड्यूटी ऋण (ब्याज सहित) की धनराशि ₹0 368.11 करोड़ है। इस सम्बन्ध में निर्णय लिया गया कि राज्य सरकार द्वारा वित्तीय वर्ष 2012-13 में ऋणों की उक्त धनराशि को यूपीसीएल की अंश पूंजी के रूप में परिवर्तित करने की कार्यवाही की जाये।

- 8- यूपीसीएल के गठन तथा उत्तराखण्ड शासन के निर्णय के अनुक्रम में सामान्य भविष्य निधि (GPF) यूपीसीएल को देय धनराशि ₹0 299 करोड़ 31-03-2012 तक के विषय में निर्णय अलग से लिया जायेगा

