

Before  
UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

Petition No. 55 of 2024

In the Matter of:

*Suo-moto* proceeding initiated by the Commission in the matter of Show Cause Notice under Section 142 of the Electricity Act, 2003, read with Regulation 3.3.2(4) of the UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020.

And

In the Matter of:

- (1) Managing Director, UPCL
- (2) Director (Operations), UPCL
- (3) Chief Engineer (Kumaon Zone), UPCL
- (4) Chief Engineer (Rudrapur Zone), UPCL
- (5) Superintending Engineer, EDC-Haldwani, UPCL
- (6) Superintending Engineer, EDC-Kashipur, UPCL
- (7) Superintending Engineer, EDC-Champawat, UPCL
- (8) Superintending Engineer, EDC-Rudrapur, UPCL
- (9) Executive Engineer, EDD, Ram Nagar, UPCL
- (10) Executive Engineer, EDD, Kashipur, UPCL
- (11) Executive Engineer, EDD, Bazpur, UPCL
- (12) Executive Engineer, EDD, Champawat, UPCL
- (13) Executive Engineer, EDD, Sitarganj, UPCL
- (14) Executive Engineer, EDD, Khatima, UPCL
- (15) Executive Engineer, EDD, Rudrapur-II, UPCL

...Respondents

Coram

Shri M. L. Prasad

Chairman

Shri Anurag Sharma

Member (Law)

Date of Order:      November 25, 2025

ORDER

This Order relates to the *suo-moto* proceeding initiated by the Commission for non-compliance of Regulation 3.3.2 (4) of UERC (The Electricity Supply Code, Release of New

Connections and Related Matters) Regulations, 2020 pertaining to unauthorised release of connection to the PTW consumers by taking three times security.

## **Background**

2. Earlier, the Commission had received a letter dated 03.08.2024 from Sh. Arun Thapliyal, Village-Chandrapur Tiwari, Post-Peerumadara, Tehsil-Ramnagar, Nainital stating that:

“... उत्तराखण्ड विद्युत नियामक आयोग (विद्युत आपूर्ति संहिता, नये संयोजनों को जारी करना तथा सम्बन्धित मामले) विनियम, 2020 में निजी नलकूप के नवीन विद्युत संयोजनों को तीन गुना जमानत राशि के आधार पर निर्गत किये जाने का कोई प्रावधान नहीं है। निजी नलकूप के संयोजनों हेतु उपरोक्त विद्युत आपूर्ति संहिता, 2020 के विनियम 3.3.2 (नये एल0टी0 संयोजन के लिये आवेदन) के बिन्दु सं0-4(a)(i) के बिन्दु सं0-a,b,c,d इंगित किये गये दस्तावेजों में से कोई एक दस्तावेज होना आवश्यक है। उपरोक्त प्रावधान के आलोक में आपको यह भी अवगत कराना है कि विद्युत वितरण खण्ड, रामनगर, जिला-नैनीताल के अन्तर्गत निजी नलकूप के संयोजनों को निर्गत करने में उपरोक्त विनियम का पालन नहीं किया जा रहा है। विद्युत वितरण खण्ड, रामनगर, जिला-नैनीताल के अन्तर्गत विगत 04 वर्षों में निजी नलकूप के 88 नग विद्युत संयोजन (सूची संलग्न है) ऐसे हैं, जो कि आवेदक से भू स्वामित्व या कब्जाधारी होने का प्रमाण लिये बिना ही विधिविरुद्ध तरीके से तीन गुना जमानत राशि के आधार पर अधिशासी अभियन्ता द्वारा निर्गत किये गये हैं जो कि व्यापक भ्रष्टाचार का उत्कृष्ट उदाहरण है। सबसे गम्भीर विषय यह भी है कि नवीन एल0टी0 संयोजन के आवेदन फार्म के भाग-1क (घोषणा/वचनबंध) में यह स्पष्ट अंकित है कि—

आवेदक परिसर का विधिपूर्ण कब्जाधारी है, लेकिन मालिक नहीं है तथा स्वामी से अनापत्ति प्रमाण पत्र प्रस्तुत करने में असमर्थ है, परन्तु सुरक्षा की राशि भुगतान करने हेतु तैयार है, जैसा कि आयोग द्वारा निर्दिष्ट है (पी0टी0डब्ल्यू0 संयोजन हेतु लागू नहीं)।

संयोजन लेते समय आवेदक उपरोक्त घोषणा भी करता है कि (पी0टी0डब्ल्यू0 संयोजन हेतु लागू नहीं)। उसके पश्चात भी तीन गुना जमानत धनराशि के आधार पर माननीय आयोग द्वारा निर्धारित किये गये आदेशों व विनियमों को उल्लंघन करते हुये निजी नलकूप के संयोजन अधिशासी अभियन्ता, विद्युत वितरण खण्ड, रामनगर, जिला-नैनीताल द्वारा निर्गत किये गये हैं।

इसके अतिरिक्त महोदय को यह भी अवगत कराना है कि निजी नलकूप के ये 88 नग विद्युत संयोजन आर0टी0एस0-4 के अन्तर्गत सिंचाई के प्रयोजन हेतु निर्गत किये गये हैं। जब उक्त 88 आवेदकों के पास सिंचाई हेतु भूमि है ही नहीं तो वे नलकूप के विद्युत संयोजन से सिंचाई का कार्य किस भूमि पर करेंगे। इस प्रकार विधिविरुद्ध तरीके से निर्गत निजी नलकूप के संयोजनों को प्राप्त

कर आवेदकों द्वारा शासन की भूमि पर कब्जा करने की सम्भावना से भी इंकार नहीं किया जा सकता है।

अतः मेरा माननीय आयोग से विनम्र अनुरोध है कि प्रार्थी की इस शिकायत का संज्ञान लेने का कष्ट करें एवं प्रकरण की गम्भीरता को देखते हुए इस प्रकार विधिविरुद्ध तरीके से निर्गत किये गये निजी नलकूप के विद्युत संयोजनों की एक ईमानदार जांच करवाते हुए दोषी अधिकारी व कर्मचारी के विरुद्ध आवश्यक कार्यवाही करने का कष्ट करें।”

3. Taking cognizance of the aforesaid complaint w.r.t. non-compliance of the provisions of the UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020, the Commission issued Show Cause Notice dated 14.08.2024 to the distribution licensee directing it to submit its reply under affidavit before the Commission within 15 days providing a detailed report on ‘how many connections have been released by UPCL across the State in past 03 years alongwith the details of security deposit received against such connections’.
4. UPCL vide its letter No. 4356/CE(Comml.)/UPCL/SE-II/BII/Misc. dated 28.08.2024 requested for 45 days additional time for submission of reply in the matter.
5. In compliance to the Commission's Show Cause Notice dated 14.08.2024, UPCL through its reply dated 08.10.2024 furnished details of PTW connections (who paid three times security deposit) released in past three years alongwith the details of security deposited against the said connections and submitted that “... the said information pertains to field units of UPCL/distribution divisions and accordingly all the field units were directed to provide the said information. Further, it is to apprise that the information has to be received from all the field units and therefore delay occurred due to gathering of information from all the field units. The above information is enclosed herewith as Annexure-I for kind perusal of Hon’ble Commission.

*In light of the above and considering the facts, Hon’ble Commission is humbly requested to kindly condone the delay in submission of information and sympathetically consider the matter and not to invoke any action under Section 142 of the Electricity Act.”*

6. Based on the above, the Commission decided to convene a hearing in the matter on 13.11.2024 and accordingly issued Notices for hearing to Managing Director,

Director (Operations), Chief Engineer (Kumaon Zone), and Chief Engineer (Rudrapur Zone) of UPCL through its letter dated 28.10.2024.

7. Hearing in the matter was held on **13.11.2024**, followed by daily Order whereby the Commission held that:

*“Respondent No. (1) & Respondent No. (2) failed to appear during the hearing. They neither sought any exemption from appearance, nor any reason was assigned for such nonappearance. This act of the licensee reflects its careless approach towards the important aspect pertaining to non-compliance of the Commission’s Regulations. The Commission expressed its displeasure on such casual approach. Respondent No. (3) & Respondent No. (4) were present. Respondents were represented by their counsel, who made the submission on behalf of Respondents and requested additional time to place on record certain additional information.*

*The reply filed by Respondent No. (3) & Respondent No. (4) was deficient of required information and was also not satisfactory.*

*The Commission directs UPCL to furnish following information before the Commission latest by **29.11.2024**: -*

- (1) UPCL vide its submission dated 08.10.2024 furnished information pertaining to Kumaon Zone & Rudrapur Zone only. UPCL to examine and confirm under Affidavit that no such connections were released in other zones namely Garhwal Zone & Haridwar Zone.*
- (2) To furnish the designation of the officer authorized for sanctioning the PTW connections for various load capacities.*
- (3) To state whether any approval/permission is required to be obtained from any authority like BDO/VDO/Pradhan etc. prior to release of PTW connection or any other formality is required to be completed.*
- (4) To furnish details of voltage levels i.e. 230V or 400V at which PTW connections of various loads are released in the State alongwith norms for releasing the same by extension of LT line or extension of HT line including transformer.*
- (5) To furnish division-wise details of such PTW connections released in last 03 years in hard & soft copy (in MS Excel format) including following information: -*
  - (a) Connection number*

- (b) *Name & Address of Consumer*
  - (c) *Load in HP*
  - (d) *Details of deposited security amount*
  - (e) *Date of release of connection*
  - (f) *Connection released with or without transformer at site*
  - (g) *Connection released on 1 phase or 3 phase.*
  - (h) *Year-wise annual energy consumption (in kWh) for last 3 years & load factor.*
  - (i) *Details of Provisional Billing.*
  - (j) *Connection from Rural feeder/Agriculture feeder/Mixed feeder/Urban feeder."*
8. UPCL vide its letter No. 6037/CE(Comml.)/UPCL/SE-II/BII/Misc. dated 29.11.2024 requested for 30 days additional time for submission of reply regarding PTW connections on various data points, which was accepted by the Commission through its letter dated 09.12.2024.
9. In compliance to the above, UPCL through its reply dated 23.12.2024 furnished the desired information, some of the relevant para, of which are reproduced hereunder:-
- " ...
- 3. *In reference to the point no. 1, **UPCL respectfully submits that no connections pertaining to PTW were released in the last 03 years in Garhwal Zone & Haridwar Zone.** The same information has been confirmed under Affidavit which is annexed as Annexure 1 to the Reply.*
  - 4. *With regard to the point no. 2, pertaining to the authorization for sanctioning the PTW connections, it is submitted that Executive Engineer(Distribution) is the authorized officer for sanctioning the PTW connections.*
  - 5. *Concerning the point no. 3, requiring information on permissions prior to release of PTW connections, we respectfully submits that no approval/permission is required to be obtained from any authority like BDO/VDO/Pradhan etc. prior to release of PTW connection and all the formalities are being done as per the UERC (The Electricity Supply Code, Release of New connections and Related Matters) Regulations, 2020.*

6. *In response to the point no. 4 highlighted in the operative part of the order, which requires information on details of voltage levels i.e. 230V or 400V at which PTW connections are released, UPCL submits that PTW connections are being released at the voltage level of 400 Volts. Release of PTW connections by extension of LT line or extension of HT line including transformer is being done as per Regulation 3.3.3 of the UERC (The Electricity Supply Code, Release of New connections and Related Matters) Regulations, 2020 with service line charges as mentioned in the Table 3.7.*
7. *In regard to the point no. 3 outlined in the Order, which seeks division-wise details of such PTW connections released in last 03 years, it is submitted that the complete details of such PTW connections released in the last 03 years including other information as sought by the Hon'ble Commission is being annexed as Annexure "2" and soft copy of the same is also being annexed in the CD.*

*As per the direction of the Hon'ble Commission, UPCL submits the additional information pertaining to division wise status of three times security. For kind reference of the Hon'ble Commission, the details are outlined in the table below:*

<i>Sr No.</i>	<i>Zone</i>	<i>Division</i>	<i>No. of PTW connections released with three times security</i>
1	Kumaun (Haldwani)	Ramnagar	82
		Kashipur	12
		Bajpur	09
2	US Nagar (Rudrapur)	Champawat	2
		Sitarganj	26
		Khatima	172
		Rudrapur-II	15
	Total		318

***”[Emphasis Added]***

10. Based on the above, the Commission decided to hear the matter on 10.06.2025 and accordingly, issued **‘Notice for Hearing’** vide its letter dated 15.05.2025 to Managing Director and Director (Operations), UPCL. Further, on perusal of the UPCL’s submission dated 23.12.2024, the Commission observed that wrongful release of PTW connections with 3 times security was prevalent in Electricity Distribution Divisions namely Ramnagar, Kashipur, Bazpur, Champawat, Sitarganj, Khatima and Rudrapur-II. Accordingly, the Commission issued **‘Show Cause Notice Cum Notice for Hearing’** vide its letter dated 15.05.2025 to Chief Engineer (Kumaon), Chief Engineer (Rudrapur Zone), Superintending Engineer

(Haldwani), Superintending Engineer (Kashipur), Superintending Engineer (Champawat) & Superintending Engineer (Rudrapur), Executive Engineer (Ramnagar), Executive Engineer (Kashipur), Executive Engineer (Bazpur), Executive Engineer (Champawat), Executive Engineer (Sitarganj), Executive Engineer (Khatima) & Executive Engineer (Rudrapur-II)] giving the final opportunity to show cause and explain as to why penal action be not taken against them for established contravention of the provisions of aforesaid Regulations.

11. In compliance to the Commission's aforesaid notices dated 15.05.2025, following individual replies were received:-

### **Corporate Office**

No response was received from Managing Director, UPCL, however, on behalf of Managing Director, UPCL, Director (Operations), UPCL vide its submission dated 09.06.2025 requested the Commission for exemption of personal appearance of Managing Director, UPCL. The extract of the aforesaid submission is detailed hereunder:

- "1. That the Hon'ble Commission vide letter no. UERC/7/CL/724/2025-26/277 dated 15-05-2025 has issued the Show cause notice for hearing under section 142 of the Electricity Act-2003 read with Regulation 3.3.2(4) of the UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020.*
- 2. In regard to the directions contained in the Show Cause Notice issued by the Hon'ble Commission under Section 142 of the Electricity Act, 2003, read with Regulation 3.3.2(4) of the UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020, **wherein the Managing Director of UPCL has been directed to appear and it has been further mentioned that, in the event of non-appearance, the matter shall be proceeded with ex parte**, the present reply is being filed respectfully seeking exemption from such personal appearance, with bona fide intent to assist and cooperate fully with the Hon'ble Commission.*
- 3. It is respectfully submitted that, pursuant to the Suo-moto proceedings conducted by the Hon'ble Commission on 13.11.2024, wherein UPCL was directed to furnish certain information regarding the release of PTW connections by 29.11.2024.*

*Subsequently, an extension was sought by UPCL for 30 days for furnishing the said information which was duly granted by the Hon'ble Commission, thereby extending the deadline to 27.12.2024. In compliance with the extended timeline, the requisite information was submitted on 23.12.2024. While the Hon'ble Commission may not have found the submitted response fully satisfactory, the same was filed in good faith and to the best of the UPCL's knowledge based on the records and report available at the relevant time.*

- 4. It is further submitted that all concerned officers, including Chief Engineers, and relevant field-level personnel involved in the actual release of the PTW connections, have submitted their individual replies and shall appear before the Hon'ble Commission to present the factual position during the hearing. These officers possess direct operational knowledge and are best positioned to provide clarity regarding the factual matrix and technical challenges associated with the matter under consideration.*
- 5. The Managing Director, in his capacity as the administrative head, has taken all necessary measures to ensure that the directions of the Hon'ble Commission are duly complied with. However, given that the matters under scrutiny pertains to field-level implementation and procedural aspects under the supervision of technical officers, it is most respectfully submitted that the personal presence of the Managing Director may not be essential for the effective adjudication of the present proceedings.*
- 6. In view of the foregoing, it is most humbly prayed that the Hon'ble Commission may be pleased to consider the present submission and grant exemption from personal appearance to the Managing Director in the instant matter, while taking on record the participation of other officials who shall be appearing and are in a position to provide substantive and factual clarifications as may be required by the Hon'ble Commission.*

*In wake of above mentioned submission, it is most respectfully prayed that the Hon'ble Commission may **graciously be pleased to grant exemption from personal appearance to the Managing Director in the interest of justice, fairness.** UPCL remains committed to comply with all directions of the Hon'ble Commission within the framework of law and assures its fullest cooperation in all regulatory matters."*



## **KUMAON ZONE**

### **(1) Chief Engineer (Kumaon Zone), Haldwani UPCL**

Chief Engineer (Distribution), Kumaon Zone, Haldwani, UPCL vide its letter No. 2349/CE(D)/UPCL dated 30.05.2025 has submitted that:

“

1. ...
2. *That as per Director (Operation)'s Order No. 3008 Dir (Operation)/UPCL, dated 23.12.2008, all Superintending Engineers in hill areas are mandated to conduct inspections of each Sub-Division once every two months, while those in plain areas are to be inspected once every month. The primary purpose of these inspections is to verify that LT connections are being issued in accordance with applicable standards prescribed by the Hon'ble Commission and the directives issued by UPCL from time to time.*
3. *That as per Order No. 2581 Dir (Operation)/UPCL dated 17.06.2022, the authority to sanction PTW connections resides with the concerned Executive Engineer, and all connection-related files and registers are maintained at the divisional level. Consequently, such cases may not be immediately apparent or directly accessible during routine Sub-Divisional inspections conducted by the Zone Office, given that the processing and approval are decentralized and handled at the division level.*
4. *That additionally, while the Chief Engineer (Distribution) is the Zonal Head and overall supervisor of operations in the Zone, however, the day-to-day execution of new connections, including scrutiny and maintenance of consumer files, lies within the purview of the concerned Divisional and Sub-Divisional offices.*
5. *That the undersigned respectfully submits that the assumption of duties as Chief Engineer (Distribution), Kumaon Zone, Haldwani was promoted on 05.04.2025. The events referred to in the aforesaid Show Cause Notice are related to a period prior to the undersigned's taking charge.*

6. *That the issue in question — i.e., the release of PTW connections upon collection of three times security — was neither brought to the knowledge of this office nor was it evident during reviews. Therefore, the Chief Engineer Concerned had no prior awareness of the alleged procedural deviations, if any. All the same, directions were issued to the concerned field offices to submit detailed factual reports along with supporting documents upon receipt of the aforesaid Show Cause Notice.*
7. *That it is further respectfully submitted that there are numbers of such connections reported by the Concerned Divisional Offices and the reason of issuing the same have been elaborately explained in their respective responses previous hearing.*
8. *That is respectfully submitted that during the registration of some consumers (as reported by the divisional officers) in the RAPDRP System for new electricity connections for private tube wells the option of land ownership from was inadvertently not selected due to and oversight. Consequently, the system processed the registrations at three times the standard security deposit. Similarly, for consumers the land ownership from option was not selected due to the unavailability of the records, leading to the same outcome. That the divisional offices has reported that subsequently upon identification of these discrepancies, the issuance of electricity connections for private tube wells at three times security deposit immediately halted to prevent further recurrence.*
9. *That it is respectfully submitted that there has been no intention or willful violation of the relevant regulations of the Hon'ble Commission by the Electricity Distribution Division of Ramnagar, Kashipur and Bazpur..."*

**[Emphasis Added]**

**(a) Superintending Engineer, EDC-Haldwani, UPCL**

Superintending Engineer, EDC-Haldwani, UPCL vide its letter No. 1672/EDC((H) dated 29.05.2025 submitted that:

*“... as per Director (Operation)’s Order No. 3008 Dir (Operation)/UPCL dated 23.12.2008, Superintending Engineers of Distribution Circles in hill areas are required to inspect each Sub-Division once every two months, and those in plain areas once every month. These inspections are intended to ensure that LT connections are being released in accordance with the standards laid down by the Hon’ble Commission and the instructions issued by the Corporation from time to time. The undersigned has duly complied with this directive and has been conducting inspections on a regular basis as mandated.*

*Moreover, as per Director (Operation), UPCL, Dehradun Order No. 2581 Dir (Operation)/UPCL dated 17.06.2022, the authority to sanction PTW connections lies with the concerned Executive Engineer, and all related connection files are maintained at the divisional level. Hence, such cases do not necessarily come to the attention of the undersigned during routine Sub-Divisional inspections, particularly when the associated records are handled entirely at the division level.*

*It is respectfully submitted that there has been no intentional or wilful non-compliance on the part of the undersigned. The undersigned has always strived to ensure full compliance with the provisions of the Electricity Act, the UERC Regulations, and the directives of the Hon’ble Commission. The undersigned further assures the Hon’ble Commission of strengthened monitoring and compliance systems moving forward.*

*In view of the above, it is humbly requested that the factual circumstances submitted herein may kindly be taken on record, and that the Hon’ble Commission may graciously exonerate the undersigned from any adverse inference in the matter.” [Emphasis Added]*

**(i) Executive Engineer, EDD, Ram Nagar, UPCL**

Executive Engineer, EDD-Ramnagar, UPCL vide its letter No. 2895/वि०वि०ख०(रा०) dated 30.05.2025 submitted that:

*“... all new connections of PTW Category were being released as per the UERC (Release of new LT Connections, Enhancement and reduction of Loads), Regulations, 2013 through online RAPDRP system.*

Since mentioned in clause 4(a) of aforesaid regulation that “Provided that in case the applicant is unable to submitted any of the document listed at (i) to (v) above, then the applicant shall be charged thrice (except for BPL consumers) the amount of security as per Tables 1 to 4 given in Regulation 5(10)”.

Therefore LT new service connections of PTW Category, where applicants were not able to produce proof of ownership or occupancy were released after receiving thrice the amount of security following above cited regulation.

Moreover it is submitted that after October 29, 2020 when “UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 came into effect and due to non-updated this new supply code 2020 in online RAPDRP system, 82 new service connections of PTW category, where applicants had no proof of ownership were released mistakenly taking thrice the amount of security.

It is respectfully submitted that there has been no intentionally or willful non-compliance on the part of the undersigned. The undersigned has always strived to insure full compliance with the provision of the Electricity Act, the UERC regulation and the directives of the Hon’ble Commission. The undersigned further assures the Hon’ble Commission of strengthened monitoring and compliance system moving forward.

In view the above, it is humble requested that factual circumstances submitted herein may kindly be taken on record, and that the Hon’ble Commission may graciously exonerate the undersigned from any adverse inference in the matter.” **[Emphasis Added]**

**(b) Superintending Engineer, EDC-Kashipur, UPCL**

Superintending Engineer, EDC-Kashipur, UPCL vide its letter No. 964/वि०वि०म०(का०) dated 30.05.2025 submitted as follows:

“

1. That the undersigned joined as Superintending Engineer, Electricity Distribution Circle, Kashipur on 27-07-2024.
2. That the Hon’ble Commission has issued Show Cause Notice No. UERC/7/CL/724/2025-26/288 dated 15.05.2025 regarding the release of

12 nos. and 09 nos. PTW connections by Electricity Distribution Division, Kashipur and Electricity Distribution Division, Bajpur respectively by accepting three times security amount which is not permissible under Regulation 3.3.2(4) of the UERC (Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020.

3. *That vide Corporation Order No. 2581/Dir (Operation)/UPCL/19-20/C-12 dated 17.06.2022 (Annexure-1) issued by Director (Operation), UPCL the authority to sanction PTW connections lies with the concerned Executive Engineer (Distribution). Accordingly, all files and records related to release of PTW connections are maintained at Division level.*
4. *That Director (Operation), UPCL vide Corporation Order No. 3008/Dir(Operation)/ UPCL/I-2 dated 23.12.2008 (Annexure-2) has issued instructions that Superintending Engineers of Distribution Circles in hill areas are required to inspect each Sub-Division once every two months and those in plain areas once every month. These inspections are intended to ensure that LT connections are being released in accordance with the standards laid down by the Hon'ble Commission and the instructions issued by the Corporation from time to time. That in compliance of the same undersigned has been conducting inspections regularly.*
5. *From above, it is apparent that when the associated records are handled entirely at the division level then cases of release of PTW connection do not necessarily come to the notice of the undersigned during Sub-Divisional inspections.*

*In present context, it is respectfully submitted before the Hon'ble Commission that undersigned has always strived to ensure full compliance with the provisions of the Electricity Act, the UERC Regulations, and the directives of the Hon'ble Commission and in present matter there has been no intentional or willful non-compliance on the part of the undersigned. However, undersigned assures the Hon'ble Commission of regular monitoring and compliance in future."*

(i) **Executive Engineer, EDD, Kashipur, UPCL**

Executive Engineer, EDD-Kashipur, UPCL vide its letter No. 2338/वि०वि०ख०(का) dated 30.05.2025 submitted that:

“ ...

1. यहकि अधोहस्ताक्षरकर्ता की तैनाती मूल रूप में विद्युत वितरण खण्ड, बाजपुर में है, अधोहस्ताक्षरकर्ता द्वारा दिनांक 15.04.2024 को विद्युत वितरण खण्ड, काशीपुर का अतिरिक्त कार्यभार ग्रहण किया गया।
2. यहकि खण्ड के अन्तर्गत वर्ष 2021-22, 2022-23 एवं 2023-24 में कुल 12 उपभोक्ताओं को तीन गुना जमानत धनराशि पर निजी नलकूप के विद्युत संयोजन निर्गत किये गये हैं, जिनका विवरण निम्नवत है:-

क्र० सं०	उपभोक्ता का नाम	भूमि स्वामित्व हेतु उपलब्ध कराये गये दस्तावेज का विवरण
1	श्रीमती हरमिन्दर कौर पत्नी श्री अंग्रेज सिंह	अ.जो.सी. आकार पत्र-36 (पट्टा)
2	श्री परम सिंह पुत्र श्री खासे	जोत चकबन्दी आकार पत्र-23
3	श्री जीत सिंह नेगी पुत्र श्री हिम्मत सिंह	अ.जो.सी. आकार पत्र-36 (पट्टा)
4	श्री प्रदीप रावत पुत्र श्री विशन सिंह रावत	अ.जो.सी. आकार पत्र-36 (पट्टा)
5	श्री खीम सिंह पुत्र महेन्द्र सिंह	अ.जो.सी. आकार पत्र-36 (पट्टा)
6	श्री अजीत सिंह पुत्र श्री मुरारी लाल	अ.जो.सी. आकार पत्र-36 (पट्टा)
7	श्री अजीत सिंह रावत पुत्र श्री अमर सिंह रावत	अ.जो.सी. आकार पत्र-36 (पट्टा)
8	श्री परमजीत सिंह मानेस पुत्र बन्ता सिंह मानेस	अ.जो.सी. आकार पत्र-36 (पट्टा)
9	श्री चरन सिंह पुत्र श्री दिदार सिंह	अ.जो.सी. आकार पत्र-36 (पट्टा)
10	श्री पूरन सिंह रावत पुत्र श्री सिद्धार्थ सिंह रावत	जोत चकबन्दी आकार पत्र-23
11	श्री खीम सिंह पुत्र श्री ध्यान सिंह	अ.जो.सी. आकार पत्र-36 (पट्टा)
12	श्री जतन सिंह पुत्र श्री दीवान सिंह	एक वार्षिक खतौनी-नान०जैड०ए०

3. यहकि नये विद्युत संयोजन निर्गत करने हेतु माननीय उत्तराखण्ड विद्युत नियामक आयोग, देहरादून द्वारा पारित UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulation, 2020 के बिन्दु सं० 3.3.2 के पैरा-4 (a) Proof of Ownership Occupancy में दिये गये प्रावधानानुसार विद्युत संयोजन निर्गत करने हेतु निम्नलिखित प्रपत्रों की आवश्यकता है:-

- (i) Aadhar Card
- (ii) Electoral identity card
- (iii) Passport
- (iv) Driving license
- (v) Photo ration card
- (vi) Photo identity card issued by Government Agency
- (vii) Certificate from village Pradhan or any village level Govt. functionary like Patawari/Lekhpal/Primary school teacher/in-charge of primary health centre etc.

संज्ञान में लाना है कि उपरोक्त विद्युत संयोजनों में क्रम सं० 1 से 11 तक के उपभोक्ताओं द्वारा भूमि स्वामित्व से सम्बन्धित प्रपत्रों में **ओ.जी.सी. आकार पत्र (पट्टा)** निर्गत किया गया था। जिलाधिकारी महोदय, उधमसिंहनगर के द्वारा उपभोक्ता को भूमि जोतने हेतु उक्त प्रकार से पट्टा आवंटन किया गया था। इससे स्पष्ट है की उक्त भूमि उपभोक्ता को मात्र कृषि कार्य हेतु आवंटित है, भूमि पर उपभोक्ता का कोई स्वामित्व दर्ज नहीं है। इसी क्रम में आपका ध्यानाकर्षण सप्लाई कोड के बिन्दु संख्या 3.3.2 के उपबिन्दु संख्या-4 (ए) के पैरा 3 जोकि निम्नानुसार है ‘Provided further that where the applicant is unable to submit the documents mentioned at a) to e) above and objection has been raised on the premises by District Magistrate/Government Authorities/Government under whose jurisdiction premises falls, the Licensee shall not grant new connection to such Applicant’ पर भी लाना समीचीन होगा। उपरोक्त से यह भी पूर्ण रूप से स्पष्ट होता है कि उक्त सभी संयोजनों में जिलाधिकारी महोदय एवं अन्य किसी भी सरकारी संस्था द्वारा विद्युत संयोजन निर्गत किये जाने हेतु कोई आपत्ति नहीं की है, अपितु भूमि जोतने हेतु पट्टा आवंटित किये गये हैं।

उक्त बिन्दु के सन्दर्भ में अवगत कराना है कि माननीय उत्तराखण्ड विद्युत नियामक आयोग, देहरादून द्वारा पारित UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulation, 2020 के बिन्दु सं० 3.3.2 के पैरा-4 (a) में वांछित प्रपत्रों में जिलाधिकारी महोदय द्वारा उपभोक्ताओं को दिये गये पट्टा आवंटन वाला प्रपत्र अंकित ना होने पर उपभोक्ता को संयोजन निर्गत ना किया जाना उचित एवं न्यायपूर्ण नहीं था, क्योंकि सिंचाई के बगैर कृषि कार्य किया जाना सम्भव नहीं है। विद्युत संयोजन के बगैर कृषि कार्य होना अत्यन्त कठिन होता है तद्दानुसार कृषि कार्य हेतु भूमि पट्टा आवंटन किये जाने का प्रयोजन ही विफल हो जाता। इसलिए उक्त विद्युत संयोजनों को निर्गत किये जाने हेतु खण्ड कार्यालय द्वारा आर. ए.पी.डी.आर.पी. सिस्टम में रजिस्ट्रेशन किया गया। आर.ए.पी.डी.आर.पी. सिस्टम पर रजिस्ट्रेशन करने के दौरान भूमि के स्वामित्व से सम्बन्धित प्रपत्रों में **ओ.जी.सी. आकार पत्र (पट्टा)** का विकल्प ना होने की स्थिति में सिस्टम द्वारा आवेदन पत्र स्वीकार करते हुए तीन गुना जमानत धनराशि पर गणना कर आवेदन स्वतः ही स्वीकार किया गया।

4. यहकि क्रम सं० 12 में अंकित उपभोक्ता द्वारा भूस्वामित्व का प्रपत्र में एक वार्षिक खतौनी-नान०जैड०ए० उपलब्ध कराये जाने पर आर.ए.पी.डी.आर.पी. सिस्टम में रजिस्ट्रेशन करने के दौरान भूस्वामित्व प्रपत्र का विकल्प का चयन नहीं किया गया, जिस कारण उपभोक्ता का रजिस्ट्रेशन भी तीन गुना जमानत राशि में स्वीकार हो गया।

5. यहकि माननीय आयोग को सादर अवगत कराना है कि उक्त प्रकरणों के संज्ञान में आने के उपरान्त निजी नलकूप विद्युत संयोजन तीन गुना जमानत धनराशि में निर्गत नहीं किये जा रहे हैं।
6. यहकि आर.ए.पी.डी.आर.पी. सिस्टम में भूस्वामित्व प्रपत्र पूर्ण ना होने की स्थिति में निजी नलकूप विद्युत संयोजनों हेतु भी तीन गुना जमानत धनराशि पर विद्युत संयोजन निर्गत किये जाने का प्रावधान उपलब्ध कराया गया है, जोकि आज भी उपलब्ध है। जिस कारण उक्त विद्युत संयोजन तीन गुना जमानत धनराशि में निर्गत हुए हैं।

माननीय आयोग के संज्ञान में लाना है कि भविष्य में निजी नलकूप विद्युत संयोजन तीन गुना जमानत धनराशि में निर्गत किये जाने की पुनरावृत्ति नहीं होगी। प्रकरण के निस्तारणोपरान्त उक्त 12 उपभोक्ताओं के तीन गुना जमानत धनराशि में से शेष दो गुना जमानत धनराशि को उपभोक्ताओं के आगामी विद्युत बिलों में समायोजित/वापस किये जाने की कार्यवाही यथाशीघ्र सुनिश्चित की जायेगी। अधोहस्ताक्षरी खण्ड स्तर से 3 गुना जमानत धनराशि में निजी नलकूप संयोजन निर्गत किये जाने के लिये क्षमाप्रार्थी है तथा माननीय आयोग को आश्वस्त करता है कि ऐसी किसी भी प्रकरण की भविष्य में किसी भी प्रकार की पुनरावृत्ति नहीं होगी। उपरोक्त तथ्यों के आलोक में माननीय आयोग से विनम्र आग्रह है कि प्रश्नगत प्रकरण में अधोहस्ताक्षरी को निर्गत Show cause Notice under Section-142 of The Electricity Act, 2003 के सापेक्ष अधोहस्ताक्षरी के उपरोक्त उत्तर तथा क्षमा याचना का सहानुभूतिपूर्वक संज्ञान लेकर कोई कार्यवाही ना करने तथा उक्त नोटिस को निरस्त करने की असीम कृपा करें।”

[Emphasis Added]

**(ii) Executive Engineer, EDD, Bazpur, UPCL**

Executive Engineer, EDD-Bazpur, UPCL vide its letter No. 1694/EDD(B) dated 30.05.2025 submitted that:

“ ...

1. यहकि खण्ड के अन्तर्गत वर्ष 2021-22, 2022-23 एवं 2023-24 में कुल 9 उपभोक्ताओं को तीन गुना जमानत धनराशि पर निजी नलकूप के विद्युत संयोजन निर्गत किये गये हैं, जिनका विवरण निम्नवत है:-

क्र०	उपभोक्ता का नाम	दस्तावेज का विवरण	टिप्पणी
1	श्री बसरुद्दीन पुत्र श्री कल्लन	खतौनी की प्रति संलग्न	—
2	श्री हरप्रीत सिंह पुत्र श्री गुरदीप सिंह	खतौनी की प्रति संलग्न	—
3	श्री गोपाल दत्त जोशी पुत्र श्री सदानन्द जोशी	खतौनी की प्रति संलग्न	—
4	श्री अजीत प्र.सिं. रन्धावा पुत्र श्री रघुवीर सिंह	खतौनी की प्रति संलग्न	—
5	श्री चानन सिंह पुत्र श्री सोना सिंह	खतौनी की प्रति संलग्न	—



क्र०	उपभोक्ता का नाम	दस्तावेज का विवरण	टिप्पणी
6	श्री कश्मीर सिंह पुत्र श्री भजन सिंह	खतौनी की प्रति संलग्न	—
7	श्री सुरेश सिंह पुत्र श्री आन्नद सिंह	दाननामा की प्रति संलग्न	श्रीमति घनुली देवी द्वारा उक्त भूमि श्री सुरेश सिंह को दान में दी गयी है।
8	श्री इरसाद अली पुत्र श्री मेहन्दी हसन	इनरारनामा की प्रति संलग्न	भूमि पर उपभोक्ता का अधिकार था इकरारनामा प्रस्तुत किया गया था।
9	श्री सोमबर सिंह पुत्र श्री यारा सिंह	---	—

आपको सादर अवगत कराना है कि क्रम सं० 1 से 6 तक के उपभोक्ताओं को निजी नलकूप हेतु नये विद्युत संयोजन हेतु आर.ए.पी.डी.आर.पी. सिस्टम में रजिस्ट्रेशन करने के दौरान भूस्वामित्व प्रपत्र का विकल्प का चयन त्रुटिवश नहीं किया गया, जिस कारण उपभोक्ता का रजिस्ट्रेशन तीन गुना जमानत राशि में स्वीकार हो गया है तथा क्रम सं० 7 से 9 में आर.ए.पी. डी.आर.पी. सिस्टम में रजिस्ट्रेशन करने के दौरान भूस्वामित्व प्रपत्र अभिलेख उपलब्ध ना होने के कारण भूस्वामित्व प्रपत्र का विकल्प का चयन नहीं किया गया, जिस कारण उपभोक्ता का रजिस्ट्रेशन तीन गुना जमानत राशि में स्वीकार हो गया है।

2. यह कि माननीय आयोग को सादर अवगत कराना है कि उक्त प्रकरणों के संज्ञान में आने के उपरान्त निजी नलकूप विद्युत संयोजन तीन गुना जमानत धनराशि में निर्गत नहीं किये जा रहे हैं।
3. यह कि आर.ए.पी.डी.आर.पी. सिस्टम में भूस्वामित्व प्रपत्र पूर्ण ना होने की स्थिति में निजी नलकूप विद्युत संयोजनों हेतु भी तीन गुना जमानत धनराशि पर विद्युत संयोजन निर्गत किये जाने का प्रावधान उपलब्ध कराया गया है, जोकि आज भी उपलब्ध है। जिस कारण उक्त विद्युत संयोजन तीन गुना जमानत धनराशि में निर्गत हुए है।

माननीय आयोग के संज्ञान में लाना है कि भविष्य में निजी नलकूप विद्युत संयोजन तीन गुना जमानत धनराशि में निर्गत किये जाने की पुनरावृत्ति नहीं होगी। प्रकरण के निस्तारणोपरान्त उक्त 9 उपभोक्ताओं के तीन गुना जमानत धनराशि में से शेष दो गुना जमानत धनराशि को उपभोक्ताओं के आगामी विद्युत बिलों में समायोजित/वापस किये जाने की कार्यवाही यथाशीघ्र सुनिश्चित की जायेगी। अधोहस्ताक्षरी खण्ड स्तर से 3 गुना जमानत धनराशि में निजी नलकूप संयोजन निर्गत किये जाने के लिये क्षमाप्रार्थी है तथा माननीय आयोग को आश्वस्त करता है कि ऐसी किसी भी प्रकरण की भविष्य में किसी भी प्रकार की पुनरावृत्ति नहीं होगी। उपरोक्त तथ्यों के आलोक में माननीय आयोग से विनम्र आग्रह है कि

प्रश्नगत प्रकरण में अधोहस्ताक्षरी को निर्गत Show cause Notice under Section-142 of The Electricity Act, 2003 के सापेक्ष अधोहस्ताक्षरी के उपरोक्त उत्तर तथा क्षमा याचना का सहानुभूतिपूर्वक संज्ञान लेकर कोई कार्यवाही ना करने तथा उक्त नोटिस को निरस्त करने की असीम कृपा करें।”

[Emphasis Added]

## **RUDRAPUR ZONE**

### **(2) Chief Engineer (Rudrapur Zone), UPCL -**

Chief Engineer (Distribution), Rudrapur Zone, UPCL vide its letter No. 938/मु0अ0(वि0)/रूपु0 dated 03.06.2025 submitted as follows:

“ ...

*In this regard, it is submitted that as per Director (Operation)'s Order No. 3008 Dir (Operation)/UPCL dated 23.12.2008, Superintending Engineers of Distribution Circles in concern areas are required to inspect each Sub-Division once every two months and those in plain areas once every month. These inspections are intended to ensure that LT connections are being released in accordance with the standards laid down by the Hon'ble Commission and the instructions issued by the Corporation from time to time. The undersigned has already instructed to all Superintending Engineers for conducting inspection on regular basis as mandated. The inspections of Division & Sub-Division has already been done by undersigned from time to time.*

*Moreover, as per Director (Operation), UPCL, Dehradun Order No. 2581 Dir (Operation)/UPCL dated 17.06.2022, **the authority to sanction PTW connections lies with the concerned Executive Engineer, and all related connection files are maintained at the divisional level.** Hence, such cases do not necessarily come to the attention of the undersigned during routine Sub-Divisional inspections, particularly when the associated records are handled entirely at the division level.*

*It is respectfully submitted that there has been no intentional or willful non-compliance on the part of the undersigned. The undersigned has always strived to ensure full compliance with the provision of the Electricity Act, the UERC Regulations, and the directives of the Hon'ble Commission. The undersigned further*

*assures the Hon'ble Commission of the strengthened monitoring and compliance systems moving forward.*

***The charge of Rudrapur Zone as a Chief Engineer has been taken over by me on 13.03.2024 and above period of releasing PTW Connections by taking 3 times security are beyond my duration.*** However, from the date of taking overall charge of Rudrapur Zone, the regular inspections of Division & Sub-Divisions are being done by undersigned from time to time.

*In view of the above, it is humbly requested that the factual circumstances submitted herein may kindly be taken on record, and that the Hon'ble Commission may graciously exonerate the undersigned from any adverse inference in the matter.*

**[Emphasis Added]**

**(a) Superintending Engineer, EDC-Champawat, UPCL-**

Superintending Engineer, EDC-Champawat, UPCL vide its letter No. 551/EDC(C) Tanakpur dated 03.06.2025 submitted that:

*“... as per Director (Operation)’s Order No. 3008 Dir (Operation)/ UPCL dated 23.12.2008, Superintending Engineers of Distribution Circles in hill areas are required to inspect each Sub-Division once every two months, and those in plain areas once every month. These inspections are intended to ensure that LT connections are being released in accordance with the standards laid down by the Hon'ble Commission and the instructions issued by the Corporation from time to time. The undersigned has duly complied with this directive and has been conducting inspections on a regular basis as mandated.*

*Moreover, as per Director (Operation), UPCL, Dehradun Order No. 2581 Dir (Operation)/ UPCL dated 17.06.2022, the authority to sanction PTW connections lies with the concerned Executive Engineer, and all related connection files are maintained at the divisional level. Hence, such cases do not necessarily come to the attention of the undersigned during routine Sub-Divisional inspections, particularly when the associated records are handled entirely at the division level.*

***It is also pertinent to mention that this Circle office was established in December 2023, and majority of the above cited PTW Connections were released prior to its creation.***

*I respectfully submit that I remain committed to full compliance with the Hon'ble Commissions regulations. It is respectfully submitted that there has been no intentional or willful non-compliance on the part of the undersigned. The undersigned has always strived to ensure full compliance with the provisions of the Electricity Act, the UERC Regulations, and the directives of the Hon'ble Commission. The undersigned further assures the Hon'ble Commission of strengthened monitoring and compliance systems moving forward..."*

**[Emphasis Added]**

**(i) Executive Engineer, EDD, Sitarganj, UPCL -**

Executive Engineer, EDD-Sitarganj, UPCL vide its letter No. 1592/वि०वि०ख०(सि) dated 05.06.2025 submitted that:

*"In this regard, all new connections of PTW Category were being released as per the UERC (Release of new LT Connections, Enhancement and reduction of Loads), Regulations, 2013 through online RAPDRP system.*

*Since mentioned in clause 4(a) of aforesaid regulation that Provided that in case the applicant is unable to submit any of the document listed at (i) to (v) above, then the applicant shall be charged thrice (except for BPL consumers) the amount of security as per Tables 01 to 04 given in Regulation 5(10).*

*Therefore, LT new service connections of PTW Category, where applicants were not able to produce proof of ownership or occupancy were released after receiving thrice the amount of security following above cited regulation.*

*Moreover, it is submitted that after October 29, 2020 when UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 came into effect and due to non-updated this new supply code 2020 in online RAPDRP system, **26 new service connections of PTW category, where applicants had no proof of ownership were released mistakenly taking thrice the amount of security.***

*It is respectfully submitted that there has been no intentionally or willful noncompliance on the part of the undersigned. The undersigned has always strived to ensure full compliance with the provision of the Electricity Act, the UERC regulation and the directives of the Hon'ble Commission. The undersigned further*

*assures the Hon'ble Commission of strengthened monitoring and compliance system moving forward."* [Emphasis Added]

**(ii) Executive Engineer, EDD, Khatima, UPCL -**

Executive Engineer, EDD-Khatima, UPCL vide its letter No. 576/वि०वि०ख०(ख) dated 05.06.2025 submitted that:

*"In this regard, all new connections of PTW Category were being released as per the UERC (Release of new LT Connections, Enhancement and reduction of Loads), Regulations, 2013 through online RAPDRP system.*

*Since mentioned in clause 4(a) of aforesaid regulation that "Provided that in case the applicant is unable to submit any of the document listed at (i) to (v) above, then the applicant shall be charged thrice (except for BPL consumers) the amount of security as per Tables 01 to 04 given in Regulation 5(10).*

*Therefore, LT new service connections of PTW Category, where applicants were not able to produce proof of ownership or occupancy were released after receiving thrice the amount of security following above cited regulation.*

*Moreover, it is submitted that after October 29, 2020 when UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 came into effect and due to non-updated this new supply code 2020 in online RAPDRP system, 169 new service connections of PTW category, where applicants had no proof of ownership were released mistakenly taking thrice the amount of security.*

*It is respectfully submitted that there has been no intentionally or willful noncompliance on the part of the undersigned. The undersigned has always strived • to ensure full compliance with the provision of the Electricity Act, the UERC regulation and the directives of the Hon'ble Commission. The undersigned further assures the Hon'ble Commission of strengthened monitoring and compliance system moving forward."* [Emphasis Added]

**(iii) Executive Engineer, EDD, Champawat, UPCL**

Executive Engineer, EDD-Champawat, UPCL vide its letter No. 652/वि०वि०ख०(च०)/च० dated 04.06.2025 submitted that:

“ ...

*In this regard, All new connections of PTW Category were being released as per the UERC (Release of new LT Connections, Enhancement and reduction of Loads) Regulations, 2013 through online RAPDRP system.*

*Since mentioned in clause 4(a) of aforesaid regulation that “Provided that in case the applicant is unable to submit any of the document listed at (i) to (v) above, then the applicant shall be charged thrice (except for BPL consumers) the amount of security as per Tables 1 to 4 given in Regulation 5(10)”.*

*Therefore LT new service connections of PTW Category, where applicants were not able to produce proof of ownership or occupancy were release after receiving thrice the amount of security following above cited regulation.*

*Moreover it is submitted that after October 29, 2020 when “UERC (The Electricity Supply Code, Release of New connections and Related matters) Regulations 2020 came into effect and due to non updated this new supply code 2020 in online RAPDRP system, 2 new service connections of PTW category, where applicant had no proof of ownership were mistakenly taking thrice the amount of security. If it was not there the mistake will not happened. Moreover here in this regard I here informed you that I have joined here at EDD Champawat on 15<sup>th</sup> August 2024 and the 2 PTW connection to whom 3 times security amount is taken is for the period of year 2023 when I was posted at EDD Rudrapur-I.*

*It is respectively submitted that there has been no intentionally or willful non-compliance on the part of the undersigned. The Undersigned has always strived to insure full compliance with the provision of the Electricity act, the UERC regulation and the directives of the Hon’ble Commission.* **[Emphasis Added]**

**(b) Superintending Engineer, EDC-Rudrapur, UPCL-**

Superintending Engineer, EDC-Rudrapur, UPCL vide its letter No. 2280/वि०वि०म० / रू०(रू०) dated 02.06.2025 submitted that:

“

1. I respectfully submit that I am currently serving as Superintending Engineer, Electricity Distribution Circle, Rudrapur, since 17-11-2022 and

*have at all times endeavored to ensure compliance with the Electricity Act, 2003, and all Regulations framed by the Hon'ble Commission.*

2. *In respect of the matter concerning the release of 15 PTW connections in EDD Rudrapur-II upon acceptance of three times the security amount, I humbly submit that such action was taken by the field unit based on their interpretation of field exigencies and without any specific direction or final approval from my office.*
3. *That vide corporation order no. 2581/Dir (Operation)/UPCL/19-20/C-12 dated 17-06-2022 (Annexure-I) issued by Director (Operation), UPCL the authority to sanction PTW connections lies with the concerned Executive Engineer (Distribution). Accordingly all files and records related to release of PTW connections are maintained at Division level.*
4. *I most respectfully clarify that the entire responsibility for processing new connection applications, collection of applicable fees and security amounts, scrutiny of documents, and issuance of supply rests solely with the Executive Engineer, Electricity Distribution Division (EDD), Rudrapur-II, as per the administrative hierarchy and delegation of authority within UPCL.*

*As the Superintending Engineer, I do not function as the final approving or authorizing authority in the procedural chain for PTW connection approvals. The execution of such processes lies entirely within the domain of the concerned Division (EDD Rudrapur-II).*

5. *UPCL has already responded to the Show Cause Notice dated 14.08.2024 via a reply dated 08.10.2024, wherein the procedural deviation was acknowledged and corrective measures were proposed.*
6. *I affirm that I had no mala fide intention in the matter and that the deviation appears to have occurred due to administrative misinterpretation at the field level. Clear directions have since been issued across the Circle to ensure strict and uniform compliance with the UERC Supply Code, 2020.*

Further, Superintending Engineer, EDC-Rudrapur-II, UPCL requested the Commission to:

“

- *Note that the responsibility for document verification, security fee collection, and connection release lies solely with EDD Rudrapur and not with the undersigned in the capacity of Superintending Engineer;*
- *Accept the clarification that the undersigned was not the final authority in the connection approval process; ...”*

**(i) Executive Engineer, EDD, Rudrapur-II, UPCL**

Executive Engineer, EDD-Rudrapur, UPCL vide its letter No. 2052/वि०वि०ख०-२/रू० dated 30.05.2025 submitted that:

*“ ... All new connections of PTW Category were being released as per the UERC (Release of new LT Connections, Enhancement and reduction of Loads), Regulations, 2013 through online RAPDRP system.*

*Since mentioned in clause 4(a) of aforesaid regulation that “Provided that in case the applicant is unable to submit any of the document listed at (i) to (v) above, then the applicant shall be charged thrice (except for BPL consumers) the amount of security as per Tables 1 to 4 given in Regulation 5(10)”.*

*Therefore LT new service connections of PTW Category, where applicants were not able to produce proof of ownership or occupancy were released after receiving thrice the amount of security following above cited regulation.*

*Moreover it is submitted that after October 29, 2020 when “UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 came into effect and due to non-updated this new supply code 2020 in online RAPDRP system, 15 new service connections of PTW category, where applicants had no proof of ownership were released mistakenly taking thrice the amount of security.*

*It is respectfully submitted that there has been no intentionally or willful non-compliance on the part of the undersigned. The undersigned has always strived to insure full compliance with the provision of the Electricity Act, the UERC regulation and the directives of the Hon’ble Commission. The undersigned further assures the Hon’ble Commission of strengthened monitoring and compliance system moving forward.*

**[Emphasis Added]**



12. Hearing in the matter was held on the scheduled date i.e. **10.06.2025**. On the date of hearing, Managing Director, UPCL failed to appear before the Commission. The Commission heard the Respondents and Order was reserved vide daily Order dated 10.06.2025.

**Commission's Observations, Views & Directions: -**

13. Based on the examination of the provisions of the Regulations, submissions of the Respondents and the documents placed on record in the matter before the Commission, the observations, views and directions of the Commission are as under: -

- (1) The Regulation 3.3.2(4)(a) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 stipulates the list of documents required as 'Proof of Ownership or Occupancy' for release of new LT connections. The same is reproduced below:-

“

**(a) Proof of Ownership or Occupancy**

*(i) The Applicant shall submit self attested copy of any one of the following documents as proof of ownership or occupancy over premises for which the connection is required:*

- a) Sale deed or lease deed (with latest rent receipt issued within three months prior to the date of application) or khasra or khatauni (inclusion of Applicant's name in the khasra or khatauni shall be sufficient for this purpose).*
- b) Registered General Power of attorney.*
- c) Municipal tax receipt or Demand notice or any other related document.*
- d) Letter of allotment.*
- e) An Applicant who is not an owner but an occupier of the premises shall along with any one of the documents listed at a) to d) above also furnish a no objection certificate from owner of the premises.*

*Provided that in case the Applicant is unable to submit any of the document listed at a) to e) above, then the Applicant shall be charged thrice the amount of security as per Table 3.4 to Table 3.6 of Clause (11) of Sub-regulation 3.3.3. "*

***[Emphasis Added]***

Thus, the aforesaid proviso categorically provides that provision of three times security is not applicable for Table 3.7 which deals with PTW connections. However, on examination of the submissions of the Respondents, it is observed that field officers of Kumaon Zone and

Rudrapur Zone of UPCL released total 315 nos. of PTW connections in last three years by taking three times security in place of documents required for 'Proof of Ownership or Occupancy'. The details are mentioned below:-

Sr No.	Zone	Circles	Division	No. of PTW connections released with three times security
1	Kumaun	Haldwani	Ramnagar	82
		Kashipur	Kashipur	12
			Bajpur	09
2	Rudrapur	Champawat	Champawat	2
			Sitarganj	26
			Khatima	169
		Rudrapur	Rudrapur-II	15
Total				315

- (2) Before considering the submissions of the field officers in the instant matter, the Commission would first like to delve into the submissions of the Corporate office. The Commission has observed that despite categorical directions for appearance in the case, the Managing Director of the distribution licensee had initially indeed shunned himself from the case and failed to appear before the Commission in the matter. Taking into consideration the gravity of the situation of non-compliance of the Regulations and looking into the importance of such matter, which directly arise from the non-compliance of Regulations which is being carried on for years, without any supervision or check against such occurrence from the management or the higher officers. The Commission therefore considering that the Managing Director is not only administratively heading the responsibility of UPCL but in fact bears a fiduciary relationship to protect the interest of the Corporation in his functional capacity. The Commission directed Managing Director to furnish its reply in the matter and appear during hearing scheduled on 13.11.2024. Whereas, Managing Director, UPCL failed to appear before the Commission. The non-appearance of the Managing Director of the distribution licensee during the aforesaid hearing was recorded by the Commission in its daily Order dated 13.11.2024, wherein, the Commission held that this act of licensee reflects its careless

approach and the Commission expressed its displeasure on such casual approach.

Thereafter, as per UPCL's submission dated 23.12.2024, specific Electricity Distribution Divisions were identified where the PTW connections were released after taking 03 times security, which is against the provisions of Regulation 3.3.2(4)(a) of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020, the Commission decided to issue Notice for hearing vide letter dated 15.05.2025 making concerned Executive Engineers, Superintending Engineers, Chief Engineers, Director (Operations) and Managing Director, UPCL as Respondents. Further, the aforesaid Respondents were directed to appear for hearing on 10.06.2025 and categorically cautioned that failing to appear for hearing in the matter would result in *ex-parte* decision against the concerned and appropriate penal proceedings may be initiated under the provisions of Act/Rules/Regulations.

- (3) Despite, the second categorical directions to appear before the Commission, Managing Director, UPCL chose not to appear in person and rather made his pleading for non-appearance through Director (Operations), UPCL.
- (4) In such serious matter of non-compliance or matter which have commercial implications, which require policy decisions, or indicative of disparity in following the Rules or Regulations and such other matters, the Commission has no hesitation to hold that the Managing Director, UPCL being head of discom is required not only to be prompt in taking action against the non-compliance of the Regulations/directions issued by the Commission, but also is responsible for the negligence or non-compliance of the same. However, in the instant case, the submissions of Director (Operations), UPCL [on behalf of Managing Director] were merely an act of discom or protocol lacking intent. The Commission expects that Managing Director, UPCL should lead the matter from the fore-front and should have expeditiously made submissions before the Commission in the matter rather than taking a back seat and becoming an observer, it is noteworthy that

despite the matter have come into his knowledge he did not take any corrective or remedial measures.

- (5) While considering the submissions of Director (Operations) in the matter, the Commission has observed that the submissions primarily were focused on establishing that the aforesaid non-compliance was due to irresponsibility at field level and an attempt was made to portray that the Corporate office is not responsible for the same. In subtle way this shows that UPCL is functioning in silos, wherein, the Corporate office, Zone office and Circle office are projecting themselves to be totally unaware of the functioning at the Divisional offices and do not find themselves anyway responsible for the working of their subordinate field officers & staff. From the submissions of UPCL, it is evident, as stated by them the problem arose due to non-updation of the online R-APDRP system of UPCL, however, in the UPCL's submission dated 23.12.2024, it is stated that no such connections were released in Garhwal Zone & Haridwar Zone and the matter of three times security for PTW connections exist in only Kumaon Zone and Rudrapur Zone. In this context, the Commission observes that if there was a problem with non-updation of the online R-APDRP system, then it is not understandable as to why such cases did not appear in other two zones namely Garhwal Zone & Haridwar Zone of the discom. Considering the inconsistency between facts and non-cohesive statements by the Respondents, this divergence in dealing with the Regulations should have been explained by UPCL, as it was a most pertinent question which was to be answered from the Managing Director, UPCL and Director (Operations), UPCL. However, Managing Director, UPCL did not appear during both the hearing dates i.e. 13.11.2024 and 15.05.2025 and Director (Operations) too was unable to give a plausible explanation or put up a convincing answer before the Commission.
- (6) The Commission in light of the aforesaid background, is constrained to take a view that non-compliance of the Regulations in the instant case projects laxity on part of the field officers upto zone level of UPCL as well as depicts laxity on part of Corporate office, wherein, the responsible officers are

blatantly shunning their responsibility of overall administration and accountability within the organization.

- (7) On examination of the submission of the Chief Engineers and Superintending Engineers, the Commission has observed that their submissions are limited to finding escape route from the problem by submitting that the responsibility of releasing PTW connections and maintenance of records is done at the Division level. Submission by the Respondents that the said release of PTW connections were not during their period of service as Chief Engineer or Executive Engineer appears to be 'Eye-wash'.
- (8) The concerned executive engineers in their submission submitted that the aforesaid non-compliance has occurred due to reasons namely non-updation in online R-APDRP module, non-clarity with respect to land ownership case of ओ.जी.सी. आकार पत्र (पट्टा) and negligence in selection of Land ownership option in online R-APDRP module. This indicates that onus of ensuring correct & proper releasing of connection not only lies with the concerned Division but also the onus of updating the correct options in the R-APDRP module is of the concerned officer looking after the R-APDRP module. Although, the total onus of fault in the instant matter cannot be diverted to concerned officer looking after R-APDRP module as had that been the case then such discrepancies would also have been in Garhwal Zone and Haridwar Zone. This truly reflects that the proactive approach is essentially required to be adopted by the field officers to check and verify the options of the online modules, so that such instances of non-compliance of Regulations can be avoided in future.
- (9) Notwithstanding the above, the Commission is of the firm view that onus of correct updation of options in the R-APDRP module is of the concerned officer looking after R-APDRP module. At division level, the responsibility for correct & proper releasing of the connections as per the provisions of the Regulations lies with concerned Executive Engineer (Distribution). At Circle level, the responsibility of supervisory checks lies with the concerned Superintending Engineer (Distribution). At Zonal level, the responsibility of

reviewing the compliance of the Orders/Regulations of the Commission by the field units lies with the concerned Chief Engineer (Distribution) and at Head Quarter level, the overall responsibility of reviewing the operations of the licensee including compliance with Orders/Regulations of the Commission lies with Director (Operations) and Managing Director. Therefore, the distribution licensee cannot be permitted to claim cluelessness for their inaction and lack of supervision/review by merely stating that the task of releasing connection is with the concerned Executive Engineer of division. The Commission opines that the instant matter has clearly highlighted the need of checks & validations in the software which prohibits wrong entries, inconsistent with the provisions of the Regulations, in the online module process. Such infirmity has been revealed in this case that if the same is not implemented meticulously in future it may result in significant commercial losses to the discom.

No plausible explanation has been furnished by the Respondents. The intent of the Regulations is clear, there is no ambiguity in interpreting the same, as it is evident that such occurrences were not in Garhwal Zone and Haridwar Zone despite the fact that the same online R-APDRP module and procedures were followed for releasing PTW connections.

- (10) The aforesaid non-compliance of the Petitioner portrays that an offence has been committed by the responsible officers of the distribution licensee by not complying with the provisions of the aforesaid Regulations. The concerned officers directly responsible in the instant matter were concerned Executive Engineer (Distribution) and officers responsible for R-APDRP module, whereas, the concerned Superintending Engineers (Distribution), Chief Engineer (Distribution), Director (Operations) and Managing Director have been guilty of having committed an offence by not following their respective supervisory and reviewing roles effectively, leading to commitment of the aforesaid non-compliance of the Regulations for more than 04 years, since the UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 were notified on 28.11.2020.

Although, the explanation forwarded by the Respondents is neither convincing nor acceptable and in fact to an extent is even contradictory within itself, yet, this is also a noticeable fact that such instance of violation of the Regulations have occurred in the entire Kumaun Zone and Rudrapur Zone as against the Garhwal Zone and Haridwar Zone. Had the instance in the Kumaun Zone and Rudrapur Zone pertain to either individual divisions or officers, the Commission would have been constrained to take a view against their act of violation of the Regulations. The fact that the entire Zone was following the similar procedure is indicative of the possibility that the officers posted in the said Zones either had the difficulty in understanding or operating the R-APDRP module or interpreting the Regulations due to which the procedure followed by the certain officers may have been followed by the officers succeeding them in order to keep the parity. There is no denying of the fact that the regulations have been violated, it is also a common knowledge that 'no knowledge' or 'lack of knowledge' of law is not an excuse. However, taking into consideration even the slightest element of possibility and considering the fact it is not *prima-facie* apparent that the non-compliance was deliberate.

The Commission taking a lenient view, warns the Petitioner not to repeat such non-compliance as the same would not only result in implementation of Regulations differently amongst the same category of consumers within the State but also may result in financial/commercial losses to the distribution licensee. Further, the Commission warns the Managing Director to refrain from adopting its non-chalant approach whenever quasi-judicial proceedings are undergoing and ensure presence before the Commission during the hearings.

14. In light of the above lapses and lack of supervision of UPCL, the Commission hereby issue the following directions:-
  - (1) Managing Director, UPCL is directed to constitute a standing committee which shall check for non-compliances w.r.t. Regulations/Tariff Orders/directions issued by the Commission from time to time including in its various

online modules which shall accordingly recommend and ensure corrective measures from time to time.

- (2) The concerned Executive Engineers shall ensure the compliance of the Regulations/Tariff Orders/ directions issued by the Commission from time to time and that their non-compliance is not repeated in future. Further, they are directed that out of the total identified 315 PTW connections, only those consumers that fulfil and comply with the provisions of UERC (The Electricity Supply Code, Release of New Connections and Related Matters) Regulations, 2020 shall be regularized within 06 months from the date of this Order.
- (3) UPCL is required to furnish a compliance report w.r.t. aforesaid directions within 07 months from the date of this Order.

Ordered accordingly.

**(Anurag Sharma)**  
**Member (Law)**

**(M. L. Prasad)**  
**Chairman**