

BEFORE THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

Suo-Moto Proceedings

Quorum

Shri Desh Deepak Verma, Chairman
Shri I. B. Pandey, Member

In the matter of:

Suo-Moto proceedings for non compliance of Commission's directions in Tariff Order 2014-15 in regard to under achievement of target specified for reduction of AT & C Losses.

Respondents:

1. Managing Director, Dakshinanchal Vidyut Vitran Nigam Ltd., Urja Bhawan 220, K.V. Up-Sansthan Bypass Road Agra – 282007
2. Chief Engineer, Distribution Zone near 220 KV sub-station, Sikandra, Gailana Road, Agra.
3. Chief Engineer, Distribution Zone, 33/11 KV sub-station, Quarsi, Ramghat Road, Aligarh.
4. Chief Engineer, Distribution Zone, Vidyut Colony, Govind Nagar, Kanpur.
5. Chief Engineer, Distribution Zone, Matateela Hydrel Colony, Civil Line, Jhansi.

Order

(Hearing on 28.08.2015)

The Commission issued notice no. 181 dated 21.7.2015 to Managing Director of Dakshinanchal Vidyut Vitran Nigam Ltd. (DVVNL) & Chief Engineers of Agra, Aligarh, Kanpur and Jhansi to be personally present on 27.8.2015 at 11:30 hrs. It may be mentioned here that DVVNL is the discom with highest line loses in the State and the above 04 zones having distribution circles with the highest loses among the DVVNL distribution circles.

The Commission received a Fax on 26th August, 2015 at 14:56 hrs in this case from the staff officer (Shri Ansul Agarwal) of Managing Director, DVVNL Shri P.N. Singh submitting that the Managing Director, DVVNL is out of station on 27.8.2015 and instead all Chief Engineers, Distribution shall attend the hearing in his absence. It was simply conveyed that Shri Singh had gone out of station. It is also not clear as to why he could not make himself available to be present before the Commission on 27/08/2015 when notice for this hearing was sent to him more than one month in advance and also as to why this information regarding Managing Director's unavailability could not be sent earlier. Surprisingly, no exemption from hearing or the postponement of the hearing was sought in this fax dated 26/08/2015.

In view of the request of the office of the Managing Director, DVVNL, the hearing on 27th August, 2015 was however, postponed and re-scheduled for 28.08.2015 at 15:00 hrs so that Managing Director, DVVNL Shri Singh, who was said to be returning to head quarter on 27/08/2015, could attend the proceedings.

None appeared on 28.8.2015 in spite of the written notice.

Instead an e-mail was received from MD, DVVNL Shri Singh addressed to Secretary UPERC giving some information and requesting for annulment of notice under section 142 of the Electricity Act 2003. In this e-mail among other things, he has also expressed his annoyance that he was being asked to explain the high line losses of the discom. It seems that MD, DVVNL wants to himself decide about the good or bad performance of his discom. It is surprising that a Senior Officer of this level does not understand that the proceedings under section 142 are the judicial proceedings conducted before the Commission in which his personal presence has been sought for. No request for postponement of date of hearing has been received in the submissions and no reason for non appearance was specified in MD's e-mail dated 28/08/2015 as well. The Commission feels that despite high AT & C Losses, Shri P. N. Singh, Managing Director has not been taking enough interest in improving the functioning of DVVNL and has not put in required efforts in reducing AT & C Losses. He obviously seems to be intentionally not attending the hearing in the Commission. Commission shows its extreme displeasure over the conduct of the Managing Director Shri Singh.

Commission is constrained to observe that Shri P. N. Singh, Managing Director, DVVNL had earlier also been showing disregard for the directions of the Commission and have not appeared before the Commission, in spite of due notices, in the hearings dated 10/03/2015 in petition no. 1005 of 2014 & in the hearing dated 03/03/2015 in petition no. 807 of 2012 for which unhappiness of the Commission was conveyed to him.

The Commission, however, offers yet another opportunity to Shri Singh, M.D. DVVNL and re-fixes the hearing on 14.9.2015 at 11:30 hrs and directs Shri P. N. Singh, Managing Director, DVVNL to appear in person before the Commission in the hearing on 14/09/2015 along with his above mentioned Chief Engineers and with relevant information. The Commission shall not entertain any excuse for non appearance on one pretext or the other and the Commission shall be forced to take a serious view in the matter in case of non appearance. A copy of this order may be sent to Chairman, UPPCL for suitable directions to Managing Director, DVVNL.

(I. B. Pandey)
Member

(Desh Deepak Verma)
Chairman

Dated: 01.09.2015