

BEFORE THE UTTAR PRADESH ELECTRICITY REGULATORY COMMISSION

**Quorum**

1. Hon'ble Sri Raj Pratap Singh, Chairman
2. Hon'ble Sri V.K. Srivastava, Member (Law)
3. Hon'ble Sri Sanjay Kumar Singh, Member

**In the matter of:**

Non-compliance of Commission's order dated 17.05.2019 in the matter of Suo-Moto proceedings in implementation of 13<sup>th</sup> Amendment of Electricity Supply Code, 2005.

1. **Managing Director**, Madhyanchal Vidyut Vitran Nigam Ltd., 4A Gokhale Marg, Lucknow- 226001.
2. **Managing Director**, Pashchimanchal Vidyut Vitran Nigam Ltd., Victoria Park, Meerut-250001.
3. **Managing Director**, Dakshianchal Vidyut Vitran Nigam Ltd, 220 Kv Substation Urja Bhawan, NH 2 Sikandara Agra 282007
4. **Managing Director**, Poorvanchal Vidyut Vitran Nigam Ltd, DLW Vidyut Nagar, Bhikaripur Varansai - 221211
5. **Managing Director**, Kanpur Electric Supply Comapany Ltd KESCO – 14/71, Civil Lines, KESA House Kanpur 208001
6. **Managing Director & CEO** – Noida Power Company Ltd, Electric Substation, Knowledge Park- IV, Greater Noida, Gautam Buddh Nagar - 201310

**Present in the hearing:**

Smt. Chaitra V., MD, PVVNL  
Shri Rajiv Mohan, Chief Engineer (Noida), PVVNL  
Shri D.C. Verma, SE, UPPCL

**ORDER**

**(Date of Hearing 28.04.2023)**

1. The Commission had initiated Suo-Moto proceedings in the matter of non-compliance of Commission's order dated 17.05.2019 and implementation of 13<sup>th</sup> Amendment of Electricity Supply Code, 2005. Subsequently, various hearings were

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conducted by the Commission to monitor the progress made by the licensees in respect of implementation of above order.

2. The Commission in Order dated 31.03.2023 had directed PVVNL to expedite the matters in which Hon'ble Supreme Court / Hon'ble High Court / NCLT has not granted stay order so that more buildings can be covered. Further, the Order for DSDR meters shall be expedited. The Commission further directed that irrespective of the occupancy, connection must be released in every flat which has been sold by the builder except unsold flat.
3. A written submission date 24.04.2023 has been made by MD, PVVNL as per which the status of conversion is as below:

Sr. No.	Status	No. Societies	Flats counts	Occupied Flats	Comm. Infra Installed.	Connection Released	Connection to be Released
1	Total identified single point societies	388	2,50,130	-	-	-	-
2	Consent for single point	300	1,59,490	-	-	-	-
3	Society Opted Single Point in Compliance to High Court Order	1	1,551	-	1,551	20	-
4	Litigation+ technically not feasible	7	3,44,968	-	-	-	-
<b>Remaining societies (to be converted + less occupancy)</b>		<b>80</b>	<b>54,121</b>	<b>-</b>	<b>1,551</b>	<b>20</b>	<b>-</b>
1	Societies converted till date	67	33,441	27,098	32,352	26,944	154
2	Societies where conversion in progress	2	1,272	1,155	1,272	690	465
3	Societies where occupancy is less than 70% (inadequate infra)	2	1,906	726	-	-	726
<b>Societies where conversion started in compliance to Hon'ble UPERC order dated : 31.03.2023</b>							
4	Societies having case in Supreme Court & has outstanding	4	7,510	6,500	762	-	-

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	electricity bill dues						
5	Societies having incomplete construction or moved to NCLT and having outstanding electricity bill dues	4	93,008	7,119	-	-	-
6	Societies having dispute in SDM Court	1	684	386	-	-	-
<b>Total societies targeted to be converted</b>		<b>80</b>	<b>54,121</b>	<b>42,984</b>	<b>34,386</b>	<b>2,7634</b>	<b>1,345</b>

4. As per the above submission, out of 80 buildings to be converted, conversion work was commenced in 71 multistoried buildings, in compliance to the Order of the Commission. Out of these 71 buildings 67 have been converted. In two buildings conversion is in progress and in two societies occupancy is less than 70%.
5. In the remaining 9 buildings conversion from single point to multipoint could not be initiated due to outstanding dues and case is pending in Hon'ble Supreme Court, societies having incomplete construction or moved to NCLT or societies having dispute in SDM Court. It is further submitted that there are four societies in which stay was granted by Hon'ble High Court and directed that no coercive action shall be taken. Initiatives are being taken to vacate the stay on conversion is vacated. However, in all the four societies the stay has been extended till the next date of listing. Apart from this there is one multistoried building in which conversion cannot be done as there are dues that are yet to be paid. It is further submitted that directions have also been given for conversion of societies that approached NCLT, which were earlier put on hold. In one of the societies the conversion was kept on hold by sub divisional magistrate. As per sub divisional magistrate, taking into consideration the Order of Hon'ble High Court for any action that has to be taken for conversion, the approval of Hon'ble High Court needs to be sought. Accordingly, Hon'ble High Court is being approached to give consent for conversion
6. In regard to tender for purchase of DSDR meters, it is submitted that part B of the tender has been opened and the order shall be placed subsequently after the

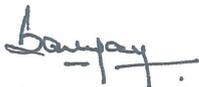
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process is complete. Further, there are around 7,764 DSDR meters available inventory.

7. During the hearing, MD, PVVNL submitted that the LOI has already been issued and the meters will be made available as per requirement.
8. Chief Engineer, Noida submitted that as per the availability of the meters the conversion will be done and all the meters available in the inventory shall be installed by 31<sup>st</sup> May, 2023.
9. The Commission observed that based on the submission made by the licensee, if the requirement of all the multi storied buildings is considered the requirement will be of more than 27,000 meters. Also, there are around 6,500 flats where meters can be installed immediately. Therefore, the licensee should have around 34,000 meters available with it so that the process of conversion is not hampered due to shortage of meters.
10. The Commission directed MD, PVVNL to place an Order for the purchase of meters which are sufficient to meet the requirement. The Commission also directed MD, PVVNL that the meters available in inventory are provided to CE (Noida) for fulfilling his commitment as stated in para 8 of the Order above.
11. The next date of hearing is scheduled for 01.06.2023.



(Sanjay Kumar Singh)  
Member



(Vinod Kumar Srivastava)  
Member



(Raj Pratap Singh)  
Chairman

Place: Lucknow

Dated: 25.05.2023

