

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

- 1. Shri Bhanu Bhushan, Member**
- 2. Shri R. Krishnamoorthy, Member**

**Petition No. 56/2008
(Suo-motu)**

In the matter of

Default in payment of Unscheduled Interchanges (UI) charges for the energy drawn in excess of the drawal schedule.

And in the matter of

Electricity Department, Administration of Dadra & Nagar Haveli, Silvassa.... **Respondent**

ORDER

As per the report received from Executive Director (SO & NRLDC), PGCIL, an amount of Rs. 124.89 crore was said to be outstanding against the respondent, Electricity Department, Administration of Dadra & Nagar Haveli on account of UI drawal as on 30.4.2008. The Commission, in its order dated 9.5.2008, had directed the respondent, to show cause as to why action under appropriate provisions of the Electricity Act, 2003 should not be initiated against it for recovery of outstanding UI dues along with interest.

2. The respondent in its reply dated 17.5.2008 has explained that UT of Dadra & Nagar Haveli has been making the payments regularly since the implementation of Availability Based Tariff in Western Region in July 2002. The respondent, it has been claimed, had never defaulted in the past towards the payment of UI dues. However, the payment of UI dues was delayed at the end of the financial year 2007-08 due to shortage of budgetary fund allocation and restrictions for utilization of fund in the first quarter of the financial year 2008-09. The respondent has informed that it has now

made a payment of Rs.93,19,89,890/- on 15.5.2008 towards the UI charges for the weeks 11.2.2008 to 6.4.2008. The respondent has further committed to make payments of the balance amount of Rs.44.6 crore for the three weeks i.e., 7.4.2008 to 27.4.2008 in the month of June 2008. The respondent has given an assurance to make regular payments in future.

3. As per the latest report dated 29.5.2008 received from WRLDC, an amount of Rs.58,76,76,781/- is outstanding against the respondent as on the date of report.

4. We have considered the submissions of the respondent and appreciate that the respondent has made payments of substantial amount with the object of liquidation of the outstanding UI dues. We direct that the respondent shall take steps to liquidate the outstanding UI dues as on 29.5.2008 during the month of June 2008. This will be in addition to the timely payment of current UI dues, if any, as per the UI charges statement issued by WRPC secretariat. WRLDC is directed to apprise the Commission regarding the UI payment status of the respondent in the first week of July 2008.

5. Let us make it clear that the above directions for payment of UI dues through installments as permitted above will not entail any relaxation of provisions of the IEGC with regard to computation and payment of interest for the delay in making payments. It is further clarified that the foregoing is without prejudice to compliance by the respondent, of any other provisions of the Commission's regulations and the IEGC.

Sd/-
(R. KRISHNAMOORTHY)
MEMBER

Sd/-
(BHANU BHUSHAN)
MEMBER

New Delhi, dated the 4th June 2008