

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

1. Dr. Pramod Deo, Chairperson
2. Shri R.Krishnamoorthy, Member
3. Shri S.Jayaraman, Member

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

In the matter of

Default in payment of UI charges by Electricity Department, Administration of Dadra & Nagar Haveli.

And in the matter of

Electricity Deptt., Administration of Dadra & Nagar Haveli, Silvassa ..Respondent

**ORDER
(DATE OF HEARING: 13.1.2009)**

Based on the report from the Executive Director (SO&NRLDC), PGCIL it was noticed that an amount of Rs. 124.89 crore was outstanding against the respondent on account of arrears of UI charges as on 30.4.2008. As this amount swelled to Rs. 58,76,76,781/- as on 29.5.2008, the Commission, by its order dated 4.6.2008, directed the respondent to liquidate the outstanding dues (as on 29.5.2008) during the month of June, in addition to timely payment of the current UI dues, if any. Subsequently, the Commission vide its order dated 14.7.2008, allowed the respondent time up to 31.7.2008 to clear all outstanding UI dues.

2. From the report of WRLDC dated 8.12.2008, it was found the respondent had not fully complied with the direction of the Commission, inasmuch as an amount of Rs. 15,66,71,223/- (surcharge on delayed payment of UI charges) was not paid. Therefore, show cause notice dated 15.12.2008 under Section 142 of the Electricity Act, 2003 was issued to the respondent directing it to explain why action be not taken for non-compliance of the directions of the Commission.

3. The respondent has not shown cause. None was present on its behalf.
4. WRLDC by its letter dated 6.1.2009 has informed that the surcharge of Rs. 5,66,71,223/- was paid by the respondent on 2.1.2009. There has thus been a delay of more than five months in payment of dues, to ensure compliance of the Commission's order dated 14.7.2008.
5. Under these circumstances, it is established that the respondent has not complied with the directions of the Commission as per order dated 14.7.2008. Accordingly, a penalty of Rs. one lakh is hereby imposed on the respondent under Section 142 of the Act. The amount of penalty shall be deposited by the respondent with the Commission, latest by 31.1.2009.

sd/-

(S.JAYARAMAN)
MEMBER

New Delhi dated the 13th January 2009

sd/-

(R.KRISHNAMOORTHY)
MEMBER

sd/-

(DR. PRAMOD DEO)
CHAIRPERSON