

CENTRAL ELECTRICITY REGULATORY COMMISSION

Record of Proceedings

PETITION No. 237/2009 (Suo-motu)

Sub: Default in payment of Unscheduled Interchanges (UI) for the energy drawn in excess of the drawal schedule by Haryana Vidyut Prasaran Nigam Limited.

Date of hearing : 3.12.2009

Coram : Dr. Pramod Deo, Chairperson
Shri V.S.Verma, Member

Respondents Haryana Vidyut Prasaran Nigam Ltd.

Parties present : Shri Gurcharan Singh, HPPC
Shri Pawan Jaswal, HPCC
Shri Soman Lakra, NRLDC

Proceeding under Section 142 of the Electricity Act, 2003 have been initiated against the respondent for non-payment of more than Rs. 23 crore towards UI charges as on 30.9.2009.

2. The representative of the respondent submitted that Distribution Companies in the State, namely Uttar Haryana Bijli Vitran Nigam Limited (UHBVNL) and Dakshin Haryana Bijli Vitran Nigam Limited (DHBVNL) were responsible for UI payment and HPPC was making payment on behalf of the two distribution companies. He admitted that there was some delay in UI payments during the above mentioned period. However, all the payments were made subsequently and no UI payment was outstanding.

3. The representative of the respondent further submitted that for the payment of the outstanding balance towards UI account ending 30.9.2009, the cheques were delivered on the due date of payment i.e. 29.9.2009, but the dues were shown as outstanding against it.

4. The representative of the NRLDC submitted that the cheques were deposited on the last due date and they had considered the date of credit of the cheques in the UI account as the date of payment, whereas HPPC was claiming the date of delivery of cheque as date of payment.

5. In response, the representative the petitioner stated that there was a decision in NRPC commercial committee meeting held on 30.10.2009 that payment could be made up to the last date of the prescribed period of 10 days and the date on which cheque was delivered would be considered as payment date. The Commission directed the respondent to submit the copy of the decision of NRPC forum, latest by 25.12.2009 with an advance copy to NRLDC.

6. Subject to the above, order in the petition was reserved.

Sd/-
(T.Rout)
Joint Chief (Law)