

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 59/2009 (Suo-Motu)**

**Coram**

- 1. Dr. Pramod Deo, Chairperson**
- 2. Shri S.Jayaraman, Member**
- 3. Shri V. S. Verma, Member**

**DATE OF ORDER: 2.2.2010**

**In the matter of**

Maintenance of Grid Discipline-Non compliance of provisions of Indian Electricity Grid Code.

**And in the matter of**

1. Rajsathan Rajya Vidyut Prasaran Nigam Ltd., Jaipur
  2. Shri Sudhansh Pant, Chairman and Managing Director, Rajsathan Rajya Vidyut Prasaran Nigam Ltd., Jaipur
- ....Respondents**

**ORDER**

Suo-Motu proceedings were initiated against the respondents, based on the report of the Northern Regional Power Committee (NRPC), for over-drawal at frequency below 49.0 Hz on a number of time blocks during 20.2.2009 to 22.2.2009. On examination of the reply filed by the respondents, the Commission vide its order dated 5.5.2009 concluded that the charge of contravention of and non-compliance with the provisions of the grid code by the respondents was established. Accordingly, penalty of Rs. one lakh for over-drawal on each occasion mentioned in the show cause notice aggregating to Rs. 5.00 lakhs was imposed on the first respondent.

2. As regards the second respondent, the Commission directed him to appear in person on 21.5.2009. During the hearing, the second respondent was directed to file his submissions bringing out status of the Power Purchase Centre, its administrative set up and the hierarchy. The above details were filed on 12.6.2009.

3. In the meantime, the respondents moved the Hon'ble Appellate Tribunal for Electricity (Appellate Tribunal) against the Commission's order dated 5.5.2009. The Appellate Tribunal vide its order dated 13.1.2010 in Appeal No. 95/2009 has set aside the Commission's impugned order dated 5.5.2009. In the meantime, the respondents, however, had deposited Rs. 2.5 lakhs as directed by the Appellate Tribunal vide its order dated 27.5.2009, towards 50% of the penalty imposed vide Commission's order dated 5.5.2009.

4. In the light of the judgment of the Appellate Tribunal, we direct that the amount of Rs. 2.50 lakhs deposited by the respondents be refunded and the proceedings initiated in the present petition be closed.

sd/-  
**(V.S. VERMA)**  
**MEMBER**

sd/-  
**(S.JAYARAMAN)**  
**MEMBER**

sd/-  
**(Dr. PRAMOD DEO)**  
**CHAIRPERSON**