

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 139/2012 (Suo-motu)

Coram

**Dr. Pramod Deo, Chairperson
Shri S.Jayaraman, Member
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member**

DATE OF ORDER: 8.6.2012

In the matter of

Non-compliance of para 18 of order dated 22.9.2011 in Adjudication Case No. 3/2010 by Power Development Department, Jammu and Kashmir.

And

In the matter of

Power Development Department, Jammu and Kashmir
Secretary, Power Development Department, Jammu and Kashmir

Respondents

ORDER

The Adjudicating Officer in its order dated 22.9.2011 in Adjudication Case No. 7/2010 had observed as under:

"19. From the details given above, it is established that the respondent did not comply with the directions of NRLDC under section 29 (2) and 29 (3) of the Act, given through above mentioned 5 numbers "B" messages and 1 number "C" message. Therefore, under the provisions of section 29(6) and 143 (2) of the Act, 2003, I impose the penalty of ₹ one lakh on the respondent for each of the aforesaid six instances of non-compliance of the message by NRLDC. The respondent is directed to deposit the penalty within one month



from the date of issue of this order"

2. It has been noted that the first respondent has not paid the penalty of ₹ one lakh for each of the six instances of non-compliance of the message by NRLDC, which was payable by 22.10.2011 despite issue of reminder dated 8.2.2012.

3 From the above facts, it emerges that the respondent has not complied with the directions of the Adjudicating Officer contained in order dated 22.9.2011 for payment of penalty within one month from the date of issue of the order. The first respondent is directed to show cause, latest by 20.6.2012, as to why action under Section 142 of the Electricity Act, 2003 should not be taken against it for non-compliance of order dated 22.9.2011. The second respondent is also directed to explain as to why he should not be held personally liable for non-compliance with our order dated 22.9.2011.

4. The matter shall be listed on 28.6.2012 for further directions.

5. The representative of the Northern Regional Load Dispatch Centre shall assist the Commission in the proceedings.

Sd/-	sd/-	sd/-	sd/-
(M.DEENA DAYALAN) MEMBER	(V.S.VERMA) MEMBER	(S.JAYARAMAN) MEMBER	(Dr. PRAMOD DEO) CHAIRPERSON