

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.234/SM/2012

Coram:

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

Date of Hearing: 20.11.2012

Date of Order: 5.12.2012

In the matter of

Default in payment of Unscheduled interchanges (UI) charges for the energy drawn in excess of the drawn schedule by Department of Power, Government of Arunachal Pradesh, Itanagar.

**And
In the matter of**

1. Department of Power, Government of Arunachal Pradesh, Itanagar.
 2. Secretary (Power), Department of Power, Government of Arunachal Pradesh, Itanagar
- ... Respondents**

Following were present:

1. Shri V.V.Sharma, NRLDC
2. Shri H.K.Chawala, NRLDC
3. Miss Joyti Prasad, NRLDC

ORDER

In our order dated 17.10.2012, we had directed as under:

"3. North-Eastern Regional Load Despatch Centre (NERLDC) has reported that a sum of ₹ 28.12 crore including surcharge is outstanding against Department of Power, Government of Arunachal Pradesh towards UI payment as on 31.8.2012.

4. From the above facts, it emerges that the respondents have not complied with the provisions of the UI Regulations. The first respondent is directed to liquidate the entire outstanding UI payable including the current outstanding dues by 31.10.2012. Secretary (Power), Department of Power,



Government of Arunachal Pradesh is directed to personally ensure liquidation of the outstanding amount by 31.10.2012. If the outstanding UI dues are not liquidated by the said date, the respondents are directed to show cause, latest by 9.11.2012, as to why action under Section 142 of the Electricity Act, 2003 should not be taken against it for non-compliance of the provisions of the UI Regulations in regard to timely payment of UI charges and directions of the Commission."

2. The first respondent has neither filed any reply to the show cause notice nor has entered appearance in person or through advocate. It therefore, follows that the first respondent has not complied with directions contained in order dated 19.10.2012.

3. During the course of hearing, the representative of the NERLDC submitted that a sum of ₹ 11.28 crore is outstanding against Department of Power, Government of Arunachal Pradesh towards UI payment as on 20.11.2012.

4. We direct the second respondent to appear before us on the next date of hearing with a firm payment schedule for liquidation of outstanding UI dues and to explain as to why he would not be held personally liable for non-compliance with the order of the Commission dated 19.10.2012.

5. The petition shall be listed on 8.1.2013 for further directions.

6. Officer-in-charge of NERLDC or his representative 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