

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 23/2012 (Suo-motu)

Coram

**Dr. Pramod Deo, Chairperson
Shri S. Jayraman, Member
Shri V.S.Verma, Member
Shri A.S.Bakshi, Member (EO)**

DATE OF HEARING: 14.6.2012

DATE OF ORDER: 26.6.2012

In the matter of

Non-compliance of para 10 of order dated 26.12.2011 in Petition No. 213/MP/2011 by Power Department, Govt. of Sikkim, Gangtok.

And

In the matter of

Power Department, Govt. of Sikkim, Gangtok
Secretary, Power Department, Government of Sikkim, Gangtok

Respondents

Following were present:

Shri Mehender Kumer, PGCIL
Shri Rakesh Prasad, PGCIL

ORDER

It was noticed from the report submitted by Power Grid Corporation of India (PGCIL) that a sum of ₹ 2.89 crore including surcharge was outstanding against Power Department, Govt. of Sikkim as on 8.2.2012 in regard to transmission charges beyond 60 days .

2. The Commission vide its order dated 9.5.2012 had observed as under:

"4. The Commission in its order dated 22.2.2012 had directed the respondent to show cause as to why action Section 142 of the Electricity Act, 2003 shall not be initiated against him for non-compliance of order dated 26.12.2011 in regard to timely payment of transmission charges and other charges in accordance with the bills raised by the Central Transmission Utility.

5. The first respondent has not filed any reply to the show cause notice. It, therefore, follows that the first respondent has not complied with directions contained in order dated 26.12.2011.

6. We direct the second respondent to explain as to why he would not be held personally liable for non-compliance with the orders of the Commission."

3. The respondents neither have filed any reply nor have entered appearance in person or through advocate. It therefore, follows that the respondents have not complied with the direction contained in orders dated 26.12.2011 and 9.5.2012.

4. As per the report received from PGCIL, an amount of ₹ 1.19 crore is outstanding against the first respondent as on 13.6.2012 in regard to transmission charges.

5. We direct the second respondent to ensure that outstanding amount is liquidated by 30.6.2012 failing which the second respondent will make himself personally liable for action under appropriate provision of the Electricity Act, 2003.

6. The matter shall be listed for hearing on 10.7.2012.

7. The representative of the Power Grid Corporation of India Limited shall assist the Commission in the proceedings.

Sd/-
(A.S.Bakshi)
Member (EO)

sd/-
(V.S. Verma)
Member

sd/-
(S. Jayaraman)
Member

sd/-
(Dr Pramod Deo)
Chairperson