

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

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: 27.6.2012

Petition No. 24/2012 (Suo-motu)

In the matter of

Non-compliance of para 10 of order dated 26.12.2011 in Petition No. 213/MP/2011 by Jaipur Vidyut Vitran Nigam Limited, Jaipur.

And

In the matter of

Jaipur Vidyut Vitran Nigam Limited, Jaipur
Chairman and Managing Director, Jaipur Vidyut Vitran Nigam Limited,
Jaipur **Respondents**

Petition No. 25/2012 (Suo-motu)

In the matter of

Non-compliance of para 10 of order dated 26.12.2011 in Petition No. 213/MP/2011 by Jodhpur Vidyut Vitran Nigam Limited, Jaipur.

**And
In the matter of**

Jodhpur Vidyut Vitran Nigam Limited, Jodhpur
Chairman and Managing Director, Jodhpur Vidyut Vitran Nigam Limited,
Jodhpur

Petition No. 26/2012 (Suo-motu)

In the matter of

Non-compliance of para 10 of order dated 26.12.2011 in Petition No. 213/MP/2011 by Ajmer Vidyut Vitran Nigam Limited, Jaipur.

**And
In the matter of**

Ajmer Vidyut Vitran Nigam Limited, Jodhpur
Chairman and Managing Director, Ajmer Vidyut Vitran Nigam Limited,
Ajmer

Following were present:

Shri Mehender Singh, PGCIL
Shri Rakesh Prasad, PGCIL
Shri Pooran Singh Solanki, JVVPNL, JdVVNL and AVVPNL

ORDER

It was noticed from the report submitted by Power Grid Corporation of India (PGCIL) that as on 8.2.2012 a sum of ₹ 22.83 crore, ₹ 16.35 crore and ₹ 15.00 crore including surcharge was outstanding against Jaipur Vidyut Vitran Nigam Limited, Jodhpur Vidyut Vitran Nigam Limited and Ajmer Vidyut Vitran Nigam Limited, respectively towards 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 and 22.2.2012.

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. During the course of hearing, the representative appearing on behalf of Jaipur Vidyut Vitran Nigam Limited, Jodhpur Vidyut Vitran Nigam Limited and Ajmer Vidyut Vitran Nigam Limited submitted that in compliance of Commission`s interim order dated 9.5.2012, payment of transmission charges is being made regularly. However, due to the financial crises being faced by the Distribution Companies, timely payment could not be arranged. He further submitted that in a meeting convened by the Additional Secretary, Ministry of Power on 8.6.2012 regarding Regulation of Power Supply to defaulting entities by Power Grid on account of non-payment of dues, it was mutually decided that outstanding payment beyond 60 days shall be made in four installments within four months.

4. We have considered the submissions of the respondents. The respondents have explained the poor financial condition of Distribution Companies as the main reason for their failure to clear the transmission

charges in time. The respondents have proposed a plan for liquidation of the outstanding transmission charges liabilities including surcharge. As per the information received from PGCIL, as on 13.6.2012, ₹ 18.33 crore, ₹ 26.33 crore and ₹ 12.39 crore are outstanding against Jaipur Vidyut Vitran Nigam Limited, Jodhpur Vidyut Vitran Nigam Limited and Ajmer Vidyut Vitran Nigam Limited towards transmission charges. We are constrained to observe that the explanations of the respondents do not justify their action for their failure to pay the transmission charges in time. It is the responsibility of the Distribution companies to arrange for the payment of the charges for availing the transmission service of PGCIL.

5. Considering the assurances given by the respondents, we direct the respondents to take necessary action to make payment of the outstanding transmission charges in four monthly installments, starting from the month of July 2012 onwards in addition to the current transmission charges.

6. In view of the above, the notices under Section 142 of the Electricity Act, 2003 are discharged against the respondents.

7. The petition Nos 24/2012, 25/2012 and 26/2012 (Suo motu) are disposed of accordingly.

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

sd/-
(V.S. Verma)
Member

sd/-
(S. Jayaraman)
Member

sd/-
(Dr Pramod Deo)
Chairperson