CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

Petition No. 179/Suo-motu/2012

Coram

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

DATE OF ORDER: 7.9.2012

In the matter of

Non-compliance of Commission`s directions and the provisions of the Electricity Act, 2003 and Central Electricity Regulatory Commission (Indian Electricity Grid Code) Regulations, 2010.

And
In the matter of

Shri S.K.Agarwal, Chairman-cum-Managing Director, Rajasthan Rajya Vidyut Prasaran Nigam Limited, Jaipur.
Shri R.P.Barvar, Chief Engineer (LD), State Load Despatch Center, Rajasthan, Jaipur. **Respondents**

ORDER

The Commission vide its order dated 17.8.2012 in Petition No. 125/MP/2012 had observed as under:

" 20. ....We had indicated in our order dated 10.7.2012 that it would be the personal liability of the officers in charge of the STUs and SLDCs to ensure compliance with our directions to curtail overdrawal from the grid and comply with the messages of NRLDC. During the hearing, the officers of UPPTCL, PTCUL, HVPNL, RRVPNL and PSTCL have not denied overdrawal from the grid or non-compliance with the directions of the RLDCs. The officer in charge of PDD, Jammu and Kashmir did not appear despite notice. We deprecate the attitude of the concerned officer towards the order of the Commission in the

serious matter like grid discipline. We are of the view that these officers have not only failed to comply with our directions but have also failed to discharge their responsibility under the Act and the Grid Code. We direct the staff of the Commission to process the case for initiation of action under Section 142 of the Act against the officers in charge of STUs/SLDCs of the States of Uttar Pradesh, Uttarakhand, Haryana, Rajasthan, Punjab and Jammu and Kashmir for imposition of penalty for non-compliance with our directions and the provisions of the Act and the Grid Code."

2. The overdrawal by the Respondents have been extracted in paras 2, 3 and 7 of our order dated 10.7.2012 and in para 4 and 5 of our order dated 30.7.2012. The details of the messages issued by NRLDC have been extracted in para 4 of our order dated 10.7.2012 and para 4 of our order dated 30.7.2012 which are not repeated in this order for the sake of brevity.

3. In our order dated 10.7.2012 in I.A. No. 25/2012 in Petition No. 125/MP/2012, we had further directed as under :

"22. Considering the seriousness of the situation, notice is issued to Head of State Load Despatch Centres, State Transmission Utilities and State Electricity Boards/the Distribution licensees in the Northern Region as to why they will not be held personally liable for the penalty for non-compliance with the directions of the Commission and provisions of the Grid Code with regard to maintenance of required grid frequency demand estimate and installation of automatic demand management schemes.

23. The petitioner has sought directions to the respondents for ensuring safety and security of the grid and to obviate any possibility of grid disturbance. We are convinced that urgent actions are called for to maintain the grid at the frequency specified in the Grid Code and to ensure smooth operation of the grid. Accordingly, the following directions are issued for strict compliance by the respondents:

(a) The respondents shall not resort to any overdrawal from the NEW grid when the frequency is below 49.5 Hz. and shall comply with the provisions of Grid Code.

(b) The respondents shall ensure that the directions of NRLDC issued under section 29 of the Act are faithfully complied with and compliance of these directions are reported to NRLDC immediately.

(c) The respondents shall ensure that the Under Frequency Relays (UFR) are kept in service at all times and the feeders used for load shedding through UFRs are different from the feeders used for manual load shedding so that the security of the grid is not compromised.

(d) The respondents shall submit the status of compliance of Regulations 5.4.2 (d) and 6.4.8 as well as Commission`s directions contained in order dated 15.12.2009.

24. We direct that it shall be the personal responsibility of the officers in overall charge of the State Transmission Utilities/ State Load Dispatch Centres to ensure compliance of the directions in Para 22 and 23 above and non-compliance of the above directions in any form will be viewed seriously and appropriate actions under provisions of the Act shall be taken."

4. The Rajasthan Rajya Vidyut Prasaran Nigam Limited and three distribution companies of Rajasthan, namely, Jaipur Vidyut Vitran Nigam Limited, Jodhpur Vidyut Vitran Nigam Limited and Ajmer Vidyut Vitran Nigam Limited have field their reply. However, they have admitted that overdrawal had been resorted to in case of fluctuation of wind generation. During the course of hearing on 14.8.2012, the representative of the Rajasthan Rajya Vidyut Prasaran Nigam Limited submitted as under:

"(e) ..situation has improved in Rajasthan on account of load management and purchase of power from the market. However, due to the variation in wind power, the State is forced to sometimes overdraw from the grid. He submitted that whenever messages from NRLDC are received, immediate actions have been taken and the distribution companies are advised to reduce their load and on a few occasions, the feeders have been opened."

Despite clear cut directions to curb overdrawal and to comply with the directions of NRLDC, the situation has not improved.

5. We are of the view that SLDC is under a statutory obligation to comply with the Grid Code specified by the Commission and ensure compliance with the directions of NRLDC. Since STU is operating the SLDC in the State, it also becomes the responsibility of the Officer in-charge of the STU to ensure that the SLDC discharges its functions and comply with the orders of NRLDC and the Commission. Therefore, the respondents, who were in charge of STU and SLDC at the time of issue of direction of the Commission have failed to discharge their responsibility under the Electricity Act, 2003 and Grid Code

6. In view of the above, the respondents are directed to show cause by 17.9.2012, as to why penalty should not be imposed on them under Section 142 of the Electricity Act, 2003 and the penalty amount should not be recovered from their salary for contravention of the provisions of the Act, Grid Code, directions of NRLDC and orders of the Commission.

7. The matter shall be listed on 25.9.2012 for further directions.

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