

CENTRAL ELECTRICITY REGULATORY COMMISSION
Scope Complex, Core 3, 7th Floor, Lodhi Road, New Delhi 110 003

Adj Case No. 1/2006

Coram: Shri A. H. Jung, Member

Inquiry under Section 143 of the Electricity Act, 2003 for the alleged non-compliance of the directions of Northern Regional Load Despatch Centre by Uttar Pradesh Power Corporation Ltd under Section 29 of the Electricity Act, 2003

Northern Regional Load Despatch Centre, New Delhi ... Petitioner

Vs

Uttar Pradesh Power Corporation Ltd, Lucknow ... Respondent

ORDER

The Hon'ble Appellate Tribunal for Electricity, in its order dated 2.6.2006 in Appeal No. 88 of 2006 (Uttar Pradesh Power Corporation Ltd. Vs. Northern Regional Load Despatch Centre & Another) arising from the Commission's order dated 9.5.2006, imposing penalty of Rs. one lakh on Uttar Pradesh Power Corporation Ltd under Section 142 of the Electricity Act, 2003 and appointing the undersigned as the Adjudicating Officer under Section 143 thereof had, inter alia, directed as under:

“In the meantime, while the adjudication will go on, the same shall not be concluded by the adjudicating officer.”

2. The above order of the Hon'ble Tribunal was not brought to the notice of the Adjudicating Officer during the pendency of the adjudication proceedings. The Adjudicating Officer passed the order dated 31.7.2006 in Adjudication Case No. 1/2006 being totally unaware of the existence of the above noted direction. The Adjudicating Officer became aware of the existence of the order only on 14.8.2006 when a copy of IA No. 132/2006 in Appeal No. 88/2006 filed by Uttar Pradesh Power Corporation Ltd was received in the Commission's office. Subsequently, under letter dated 18.8.2006, the Registry of the Hon'ble Tribunal communicated the said order dated 2.6.2006.

3. In view of the order dated 21.8.2006 in IA No. 132/2006 and the directions contained in the order dated 2.6.2006 of the Hon'ble Tribunal as quoted above, the order dated 31.7.2006 in Adjudication Case No. 1/2006 is hereby withdrawn, subject to final decision of the Hon'ble Tribunal in pending Appeal No. 88/2006.

Sd/-
(A.H. Jung)
Adjudicating Officer

New Delhi Dated the 21st August, 2006