

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram

Shri A H Jung, Member &
Adjudicating Officer

Adj Case No. 1/2006

In the matter of

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

By order dated 9.5.2006 in Petition No.25/2006, the Commission imposed on the respondent a penalty of Rs.one lakh under Section 142 of the Electricity Act, 2003 (the Act) and also appointed me as the Adjudicating Officer under Section 143 thereof to conduct an inquiry into the instances of non-compliance by the respondent of the instruction of the petitioner during the period 1.4.2006 to 30.4.2006. The respondent filed an appeal before the Appellate Tribunal for Electricity against the said order dated 9.5.2006, being Appeal No.88/2006. The Appellate Tribunal by its order dated 2.6.2006 interalia, directed as under:

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

2. The above directions of the Appellate Tribunal were brought to my on 14.8.2006, though in the meanwhile, I issued order under Section 143 of the Act on 31.7.2006. The matter was again heard by the Appellate Tribunal on 21.8.2006 on an interlocutory application (IA No.132/2006) filed by the respondent. In view of the orders of the Appellate Tribunal , the order dated 31.7.2006 was withdrawn, subject to final decision in the appeal filed by the respondent before the Appellate Tribunal.

3. The Appellate Tribunal by its order dated 28.9.2006 has dismissed the appeal filed by the respondent. Therefore, I propose to finalise the adjudication proceedings now. For this purpose, I consider it appropriate to give a fresh opportunity of hearing to the respondent after disposal of the appeal by the Appellate Tribunal. Accordingly I direct that notice be issued to the parties for hearing on 23.10.2006 at 11.30 hrs.

Sd/-
(A.H JUNG)
Adjudicating Officer

New Delhi dated the 13th October, 2006