

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

1. Shri Ashok Basu, Chairman
2. Shri K.N. Sinha, Member
3. Shri A.H. Jung, Member

Petition No. 23/2005

In the matter of

Non-payment of Unscheduled Interchange (UI) charges by Jharkhand State Electricity Board (JSEB), Ranchi.

And in the matter of

Eastern Regional Load Despatch Centre
Petitioner

Vs

1. Jharkhand State Electricity Board, Ranchi
 2. Bihar State Electricity Board, Patna
 3. Grid Corporation of Orissa, Bhubaneswar
 4. Damodar Valley Corporation, Kolkata
 5. West Bengal State Electricity Board, Kolkata
 6. Power Department, Govt. of Sikkim, Sikkim
 7. National Thermal Power Corporation Ltd., ERHQ, Patna
 8. National Hydro Power Corporation, Faridabad
 9. Member Secretary, EREB, Kolkata
- Respondents

The following were present:

1. Shri S.K. Banerjee, ERLDC
2. Shri P. Mukherjee, ERLDC
3. Ms. Kumud L. Das, Advocate, JSEB
4. Shri M.K. Mishra, MS, EREB
5. Shri Anshuman Ashok, EREB
6. Ms. Swapna Seshadhri, EREB
7. Shri K. Ganesan, EREB
8. Shri P.K. Bagchi, WBSEB
9. Shri R.K. Das Gupta, DCE(Elec.), DVC
10. Shri C. Karmakar, DVC
11. Shri S. Atiq Ullah, BSEB
12. Shri K.K. Sinha, NTPC

**ORDER
(DATE OF HEARING: 7.6.2005)**

The petitioner seeks direction to the first respondent, Jharkhand State Electricity Board (JSEB) for clearing of dues of UI charges as on date of filing of the application together with interest prescribed under Clause 13 of Annexure I of IEGC, till the date of payment of UI dues. A further direction is sought that in future, the respondent shall make payment of UI charges within the stipulated period of 10 days of issue of the UI accounts by the petitioner.

2. The petitioner has alleged that the first respondent, consequent to overdrawal of power, has become liable to pay UI charges. It is stated that UI amount payable by the respondent to Eastern Region pool stood at Rs.91.37 crore till 6.2.2005, excluding interest due to delayed payment. It is alleged that despite all efforts, the issue of non-payment of UI charges by the first respondent has remained unresolved. Therefore, the present petition is filed for directions noted above.

3. The first respondent, JSEB has admitted to overdrawal of power from Eastern Regional Grid, reportedly because of low availability of power from NTPC power stations in the region and for certain other reasons. The first respondent has not disputed its liability to pay the UI charges claimed. The prayer is made that it be permitted to make payment in 20 monthly instalments. In our opinion, the stand taken by the respondent is totally unreasonable. Therefore, we are inclined to proceed with the adjudication of the petitioner's claim in accordance with the law.

4. Ms. Kumud L. Das, Advocate for the first respondent initially sought to pay the outstanding dues in twenty monthly instalments as prayed for in the reply filed. When it was pointed out to her that the prayer was wholly unjustified and could not be granted considering the overall interest of the electricity sector, she submitted that the officer entrusted with the responsibility of pursuing the present petition was on sick leave and was likely to resume duty on 20.6.2005. She requested for hearing on a date subsequent thereto.

5. In view of the request made, list on 21.6.2005 for further directions.

Sd/-
(A.H. JUNG)
MEMBER

Sd/-
(K.N. SINHA)
MEMBER

Sd/-
(ASHOK BASU)
CHAIRMAN

New Delhi dated the 7th June 2005