

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

1. **Shri A.K.Basu, Chairperson**
2. **Shri Bhanu Bhushan, Member**

Petition No. 14/2006

In the matter of

Non-payment of dues by MPSEB

And in the matter of

Western Regional Load Despatch Centre, Mumbai

..Petitioner

Vs

1. Madhya Pradesh State Electricity Board, Jabalpur
2. Gujarat Urja Vikas Nigam Ltd, Vadodara
3. Chhattisgarh State Electricity Board, Raipur
4. Maharashtra State Electricity Board, Mumbai
5. National Thermal Power Corporation, New Delhi
6. Electricity Deptt., Government of Goa, Panaji
7. Electricity Deptt., Administration of Dadra & Nagar Haveli, Silvassa
8. Electricity Deptt., Administration of Daman & Diu, Daman
9. Member Secretary WREB, Mumbai **..Respondents**

The following were present:

1. Shri P. Pentaiyya, WRLDC
2. Shri. D Khandewal, MPSEB
3. Shri. A.K. Garg, MPSEB
4. Shri. Chetan Jaiswal, MPSEB
5. Ms. Suparna Srivastava, Advocate, Chhattisgarh State Electricity Board

ORDER

(DATE OF HEARING: 8.6.2006)

The petitioner has filed this petition praying for imposition of penalties/strictures under Section 146 and 149 of Electricity Act 2003 on the first respondent, Madhya Pradesh State Electricity Board. for its failure to pay UI

charges. The petitioner has also sought direction for regulation of power supply of the first respondent in case of default in payment of UI charges and also to open LC for future UI payments to ensure timely payments in keeping with the provisions of IEGC to accord top most priority to UI payments over all other payments

2. It has been stated that an amount of Rs. 109.8 crore, excluding interest, was due against the first respondent as on 1.3.2006. Shri P. Pentaiyya for the petitioner submitted that certain payments were made by the first respondent after filing of the petition and as on date the balance UI charges payable by the first respondent amounted to Rs. 50.7 crore, excluding interest. He submitted that delay in payment by the first respondent was adversely affecting the other beneficiaries in the region. Shri Khandelwal appearing for the first respondent, did not deny the liability to pay UI charges as claimed. He submitted that in a meeting held in Ministry of Power on 17.5.2006, the first respondent was granted time to settle the outstanding dues within four months. To a pointed question, Shri Khandelwal replied that none of the beneficiaries entitled to claim UI charges was involved with the discussions in the Ministry. The representative of the petitioner and Ms. Suparna Srisvastava appearing for Chhattisgarh State Electricity Board opposed the time schedule proposed by Shri Khandelwal.

3. We have considered the rival submissions. The first respondent is directed to pay Rs. 25 crore on or before 25th June 2006 and the balance amount of Rs. 25.7 crore by 25th July 2006. Interest payable by MPSEB on outstanding UI amount from time to time shall be worked out by the petitioner, and shall be cleared by the

first respondent within one month of issuance of relevant statement by the petitioner.
The first respondent shall also continue to pay current UI charges regularly.

4. We make it clear that non-compliance of the above directions will draw appropriate penal proceedings in accordance with law and liberty is granted to the parties to bring to the notice of the Commission the instances, if any, of contravention of the directions.

5. With the above, the petition stands disposed of.

Sd/-

**(BHANU BHUSHAN)
MEMBER**

Sd/-

**(ASHOK BASU)
CHAIRPERSON**

New Delhi dated the 8th June, 2006