

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 260/MP/2012

Subject : Approval under Regulation 44 of the CERC (Terms and Conditions of Tariff) Regulations, 2009 "Power to Relax" for reimbursement of additional expenditure towards deployment of special security forces (CISF) at Wagoora Sub-Station for the year 2011-2012 in Northern Region.

Date of Hearing : 22.1.2013

Coram : Shri S.Jayaraman, Member
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member

Petitioner : Power Grid Corporation of India Limited, Gurgaon

Respondents : Himachal Pradesh State Electricity Board and Others

Parties present : Shri S.S. Raju, PGCIL
Shri M.M. Mondal, PGCIL
Shri R.B. Sharma, Advocate, BRPL
Shri Vikas Sharma, J & K, PDD

Record of Proceedings

The representative of the petitioner submitted that present petition is filed seeking reimbursement of additional expenditure incurred towards deployment of special security forces at Wagoora sub-station located in the State of Jammu and Kashmir, during the year 2011-12 in Northern Region under Regulations 44 of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2009. He further submitted that expenses incurred an amount of ₹ 438.19 lakh towards deployment of CISF shall be shared by the beneficiaries of Northern Region.

2. Learned counsel for BRPL submitted that the Wagoora sub-station is located in the State of Jammu and Kashmir which is part of Northern Region. It is not explicit in the petition as to why the other beneficiaries have to share security expenses especially when the Wagoora sub-station is exclusively feeding the utility in the State of J&K and not used by the beneficiaries of Northern Region. Learned counsel submitted that BRPL is not questioning the need for additional security *per se*. Since, the Electricity Act, 2003 is not applicable in the State of Jammu and Kahsmir, the

reimbursement of additional expenditure towards deployment of CISF is legally not permissible under the Act. He further submitted that the burden of maintaining the law and order in the State of J&K by deploying special security force should be borne exclusively by State of J&K only and should not be transfer to other utilities of the Northern Region.

3. The representative of the petitioner submitted that reply filed by BRPL was received today and requested for two weeks time to file rejoinder to the reply of BRPL, which was allowed.

4. The Commission directed the petitioner to file its rejoinder on affidavit by 8.2.2013 with an advance copy to the respondent, BRPL.

5. Subject to above, Commission reserved order in the petition.

By order of the Commission,

SD/-
(T. Rout)
Joint Chief (Law)