

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

- 1. Shri Ashok Basu, Chairman**
- 2. Shri K.N. Sinha, Member**
- 3. Shri Bhanu Bhushan, Member**

**Petition No. 29/2004**

**In the matter of**

Non-payment of Unscheduled Interchange (UI) Charges and Reactive Energy (RE) charges by Power Development Department, Jammu and Kashmir

**And in the matter of**

Northern Regional Load Despatch Centre  
Vs

.... **Petitioner**

Power Development Department,  
Govt. of Jammu & Kashmir, Jammu

..... **Respondent**

The following were present:

1. Shri P.K. Aggarwal, CM, NRLDC
2. Shri V.K. Agarwal, AGM, NRLDC
3. Shri Milino Kumar, Advocate, PDD, J&K
4. Shri Mukul Kumar, Advocate, PDD, J&K

**ORDER  
(DATE OF HEARING: 24.8.2004)**

The petition was last heard on 22.6.2004 when no one appeared on behalf of the respondent. Therefore, hearing of the petition was adjourned to 24.8.2004 with a fresh notice to the respondent. Meanwhile, in terms of the Commission's order dated 5.7.2004, the default on the part of respondent in payment of UI charges etc. was brought to the notice of the Central Government through Ministry of Power. Ministry of Power is stated to have called a meeting to discuss the issue.

2. It was stated on behalf of the petitioner that a sum of Rs.232 crore was due against the respondent, which included principal amount on account of UI

charges, interest thereon and the reactive energy charges. Shri Milino Kumar, Advocate who appeared for the respondent, sought two months' time to settle the issue in consultation with Ministry of Power. When asked to clarify whether the dues would be liquidated within that period of two months, the learned counsel was non-committal. He was also not prepared to give any undertaking on behalf of the respondent that overdrawal of power from the regional grid would be stopped. He submitted that his instructions were to pray for two months time for resolution of the issue in consultation with Ministry of Power. In view of this, we did not find the presence of the learned counsel of any assistance in resolving the issue. Therefore, we had proposed to summon Secretary, Power Development Department, Government of Jammu & Kashmir. At this stage, the learned counsel pleaded for two weeks time to seek further directions from the respondent. He also assured that a senior functionary from the State Government Power Development Department, Govt. of Jammu & Kashmir would be available at the next date. In this manner, we were sought to be persuaded by the learned counsel not to issue summons for appearance of Secretary, Power Development Department.

3. In view of the request made, hearing of the petition is adjourned to 16.9.2004. The senior functionary (not below the level of Joint Secretary to the Government of J&K) of the respondent who appears on the next date shall satisfy us on the following counts:

- (a) Steps taken and to be taken to curtail overdrawals from the regional grid; and

(b) Firm timeframe for settlement of dues on account of UI charges and reactive energy charges, etc.

(c) Provisions in the approved State budget for meeting the above liability.

4. List this petition on 16.9.2004 as already directed.

Sd/-  
**(BHANU BHUSHAN)**  
**MEMBER**

Sd/-  
**(K.N. SINHA)**  
**MEMBER**

Sd/-  
**(ASHOK BASU)**  
**CHAIRMAN**

New Delhi dated the 31<sup>st</sup> August, 2004