CENTRAL ELECTRICITY REGULATORY COMMISSION

NEW DELHI

<u>Petition No. 120/2012 (Suo-motu)</u>

Coram
Dr. Pramod Deo, Chairperson
Shri S.Jayaraman, Member
Shri V.S.Verma, Member
Shri M.Deena Dayalan, Member

DATE OF HEARING: 26.4.2012

DATE OF ORDER: 8.5.2012

**In the matter of**

Non-compliance of para 19 of order dated 27.9.2011 in Adjudication Case No. 3/2010 by Haryana Vidyut Prasaran Nigam Limited, Panchkula.

**And
In the matter of**

Haryana Vidyut Prasaran Nigam Limited, Panchkula
Chairman and Managing Director, Haryana Vidyut Prasaran Nigam Limited, Panchkula                                                                      **Respondents**

**Following were present:**

Shri   Sanjay Arora, HVPNL
Shri N.K.Makkar, HVPNL
Shri V.V.Sharma, NRLDC

<u>ORDER</u>

In our order dated 9.4.2012, we had directed as under:

> *"3      From the above facts, it emerges that the respondent has not complied with the directions of the Adjudicating Officer   contained in order dated 27.9.2011 for   payment of   penalty within one month from the date of issue   of the order. The first respondent is directed to show cause, latest by 20.4.2012, as to why action under Section 142 of the*

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*Electricity Act, 2003 should not be taken against it for non-compliance of order dated 27.9.2011. The second respondent is also directed to explain as to why he should not be held personally liable for non-compliance with our order dated 27.9.2011.'*

2.      During the hearing, the representative of the Haryana Vidyut Prasaran Nigam Limited (HVPNL) submitted that penalty imposed by the Commission has already been paid. He further submitted that the delay in depositing of penalty was unintentional and due to miscommunication between HVPNL and Haryana Discoms,  penalty amount could not  be paid  in specified  time period .

3.      Noting the above submissions, we discharge the notice under Section 142 of the Electricity Act, 2003 against the respondents and direct the present proceedings be dropped.

4.      Petition No. 120/2012 (Suo motu) is disposed of accordingly.


Sd/-                          sd/-                sd/-                  sd/-
(M.DEENA DAYALAN)     (V.S.VERMA)   (S.JAYARAMAN)   (Dr. PRAMOD DEO)
 MEMBER                      MEMBER           MEMBER           CHAIRPERSON