

Before The J&K State Electricity Regulatory Commission Jammu

Petition No. JKSERC/53 of 2014

In the matter of:

Petition No. JKSERC/53 of 2014 for condonation of delay for submission of Petition for Distribution Business for FY 2015-16 and extension of date of submission of the Petition upto 24th April, 2015.

Petitioner:

J&K Power Development Department, (JKPDD-Distribution), through Chief Engineer Commercial & Survey Wing.

Present:

Hon'ble Sh. Basharat Ahmad Dhar, Chairperson.

Present on behalf of Petitioners:

S/Sh.

1. Shahnaz Goni, Chief Engineer, Commercial and Survey Wing, Jammu.
2. Khurshid Ahmad Badoo, Chief Engineer, Procurement & Material Management Wing PDD.
3. Ravi Chanyal, Chief Engineer, Planning & Designs J&K.
4. Azhar Vakil, AEE, DCP Office.

ORDER

(Passed on this 22nd Day of April, 2015)

The Utility in the Petition No. JKSERC/53 of 2014 had prayed for condonation of the delay in submission of the Petition related to Distribution Business and had requested for granting extension for filing the same till 24.04.2015. The Commission, in view of the submissions made by the Petitioner during the course of hearing on 13.03.2015 reluctantly extended the date of filing of the complete Petition for true-up (2013-14)/APR for (2014-15)/ARR and Tariff Petition (2015-16) and directed the Utility to file the said Petition by 10.04.2015, positively so as to give the Commission reasonable time of 120 days (4 months) as mandated under the relevant provisions of the Act/ Regulations, for completing the process for determination/approval of tariff for FY 2015-16.

The Utility, assured the Commission that the Petition would be filed by 10.04.2015.

Since the Utility failed to file the petition by the date fixed for filing viz 10.04.2015, the case was again listed for hearing before the Commission today. The senior officers representing the Utility have no satisfactory explanation to offer for the non-compliance of the Commission's order dated 13.03.2015. The failure on the part of the Utility to submit the Tariff and related Petitions before the Commission

has again disarrayed the calendar that was worked out for finalization and notification of Tariff Order for FY 2015-16.

The issue being of critical public importance, the Commission is left with no option but to invoke the provisions of Section 102 of the J&K Electricity Act, 2010 and impose a penalty of Rs. 20,000/- (Rs. Twenty Thousand only) on the Utility for persistently contravening timelines fixed in the Regulations/Act for submission of Tariff and related Petitions and also for repeatedly violating the directions of the Commission. The continued failure of the Utility to comply the directions of the Commission shall liable them for further penal action in terms of provisions of Section 102 of the Act.

Announced
April 22, 2015

Sd/-
(Basharat Ahmad Dhar)
Chairperson

No. JKSERC/Secy/43/2014/91-92
Dated:24.04.2015

Copy to the:-

1. Development Commissioner (Power), PDD, Jammu.
2. Chief Engineer Commercial & Survey Wing, Jammu.


(Abdul Hamid) KAS

Secretary,
J&K State Electricity Regulatory Commission,
Jammu.