

**JOINT ELECTRICITY REGULATORY COMMISSION FOR
THE STATE OF GOA AND UNION TERRITORIES
GURGAON**

Coram*
Shri S.K. Chaturvedi, Member
Petition No. 76/2012
Suo-moto

In the matter of

Loss Reduction Programme- reg

And in the matter of:

- 1) Electricity Department, Govt. of Goa
- 2) Electricity Department, UT of Andaman & Nicobar
- 3) Electricity Department, UT of Chandigarh
- 4) Electricity Department, UT of Dadra and Nagar Haveli
- 5) Electricity Department, UT of Daman & Diu
- 6) Electricity Department, UT of Lakshadweep
- 7) Electricity Department, UT of Puducherry

..... Respondents

Present:

1. Shri S.B. Khedekar, Superintending Engineer, ED- Goa
2. Shri Xavier Fernades, Asst. Ex., Engineer, ED- Goa
3. Shri K.S. Thakur, Dy. Residence Commissioner, A&N Administration.
4. Shri T. Gopalakrishnan, Executive Engineer, ED, Puducherry.

ORDER

10.07.2013

The Commission initiated suo- moto proceedings on total AT&C losses as the licensees were not furnishing information on total AT&C losses of the previous year and current year resulting into failure of proposal of loss reduction program by licensees for ensuing year and next three years as required under Regulation 15 of JERC (Terms and condition for determination of Tariff) Regulations, 2009.

The Commission on 25.05.2012 sent notices to all respondents/ licensees directing them to submit detailed report and road map in respect of AT&C loss reduction program by licensees for ensuing year and next three years by 22.06.2012.

1. Electricity Department - Goa respondent no. 1

The respondent no. 1 failed to submit detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 22.06.2012.

The Commission in the order dated 22.06.2012 again directed the respondent no. 1 to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 31.07.2012. The respondent again failed to submit the report by 31.07.2012 and thereafter. The Commission again sent notice to the respondent to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 10.07.2013.

The respondent filed an affidavit accompanied with some documents without complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year

and next three years with a prayer that the respondent be granted three months time to submit detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years.

The Commission considered the request, and took a very serious view for non-compliance of its orders/ directions. However, the Commission acceded the request and directed the respondent to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years on or before 14.10.2013 positively.

The Commission further directed that a letter be also sent to Secretary (Power), Govt. of Goa directing him to take action against the defaulting official for non-compliance of orders/directions of the Commission and to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 14.10.2013 positively.

2. Electricity Department - UT of Andaman & Nicobar respondent no. 2

The respondent no. 2 failed to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 22.06.2012.

The Commission in the order dated 22.06.2012 again directed the respondent no. 1 to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 31.07.2012. The respondent again failed to submit the report by 31.07.2012 and thereafter. The Commission again sent notice to the respondent to submit detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 10.07.2013.

The respondent filed an affidavit without complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years stating as under:-

Quote

"It is submitted that the department has taken many steps during past few years to reduce the AT&C losses which can be seen in the table below:-

<i>Year</i>	<i>T&D loss (%)</i>	<i>AT&C loss (%)</i>	<i>Remarks</i>
<i>2009-10</i>	<i>19.89</i>	<i>28.60</i>	<i>Actual</i>
<i>2010-11</i>	<i>19.77</i>	<i>21.36</i>	<i>Actual</i>
<i>2011-12</i>	<i>18.03</i>	<i>19.03</i>	<i>Actual</i>
<i>2012-13</i>	<i>17.93</i>	<i>21.80 *</i>	<i>Provisional</i>
<i>2013-14</i>	<i>17.00</i>	<i>19.00</i>	<i>Projected</i>

**The increase in AT&C loss in the FY 2012-13 is mainly due to accumulation of dues related to Govt. Department and PRIs. Actions are being taken to recover these dues.*

Further, the Electricity Department, A&N Administration submitted the road map proposed to bring down the AT&C losses within 18% by the end of 12th Five Year Plan."

Unquote

The Commission examined the report and observed that the target given by the respondent is very low and the report is sketchy. Representative of the respondent prayed for three months time

for submitting complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years.

The Commission considered the request, and took a very serious view for non-compliance of its orders/ directions. However, the Commission acceded the request and directed the respondent to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years on or before 14.10.2013 positively.

The Commission further directed that a letter be also sent to Secretary (Power), UT Andaman & Nicobar Islands directing him to take action against the defaulting official for non-compliance of orders/directions of the Commission and to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 14.10.2013 positively.

3. Electricity Department - UT of Chandigarh respondent no. 3, ED- UT of Dadra and Nagar Haveli respondent no. 4, ED- UT of Daman & Diu respondent no. 5 and ED- UT of Lakshadweep respondent no. 6

The respondents no. 3, 4, 5 and 6 failed to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 22.06.2012.

The Commission in the order dated 22.06.2012 again directed the respondents no. 3, 4, 5 and 6 to submit detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 31.07.2012. The respondents again failed to submit the report by 31.07.2012 and thereafter. The Commission again sent notices to the respondents to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensees for ensuing year and next three years by 10.07.2013.

The respondents again failed to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years. Representatives of the respondent are also not present. The Commission has taken a very serious note for non-compliance of its orders/ directions by the respondents no. 3, 4, 5 and 6.

The Commission directed that a show cause notice be sent to the respondents no. 3, 4, 5 and 6 that why proceedings under sections 142 and 146 read with 149 of the EA, 2003 be not initiated against the respondents no. 3, 4, 5 and 6 for non-compliance of the orders/ directions of the Commission.

The Commission further directed that letters be also sent to Secretaries (Power) of UTs of Chandigarh, Dadra and Nagar Haveli, Daman & Diu and Lakshadweep directing them to take action against the defaulting officials for non-compliance of the orders/ directions of the Commission and to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years on or before 14.10.2013 positively.

7. Electricity Department – UT of Puducherry respondent no. 7

The respondent no. 7 failed to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 22.06.2012.

The Commission in the order dated 22.06.2012 again directed the respondent no. 1 to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 31.07.2012. The respondent again failed to submit the report by 31.07.2012 and thereafter. The Commission again sent notice to the respondent to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 10.07.2013.

The respondent filed an affidavit accompanied with some documents without complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years with a prayer that the respondent be granted three months time to submit detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years. The Commission has taken a very serious view for non-compliance of its orders/directions. The Commission again directed the respondent to submit detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years on or before 14.10.2013 positively.

The Commission further directed that a letter be also sent to Secretary (Power), UT Puducherry directing him to take action against the defaulting officials for non-compliance of orders/directions of the Commission and to submit complete and detailed report and road map in respect of AT&C loss reduction program by licensee for ensuing year and next three years by 14.10.2013 positively.

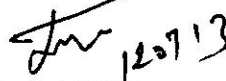
Scheduled for hearing 21.10.2013 at 11:00 AM.

Sd/-
(S.K.Chaturvedi)
Member

Chairperson (Vacant)

- * Post of the Chairperson is vacant. According to provisions of Section 93 of the Electricity Act, 2003 no act or proceedings of the appropriate Commission shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the Constitution of the appropriate Commission. As per Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 "Coram is Two" provided the Chairperson or the member is prevented from attending the meeting or the hearing for any reason, the Hon'ble Member or Chairperson as the case may be shall constitute a valid Coram.

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(R.K. Malik)
Secretary