

EXTRA EXPENDITURE DUE TO DELAY IN FINALIZING POWER PURCHASE AGREEMENTS THROUGH OPEN ACCESS- WEST CENTRAL RAILWAY

[Action Taken by the Government on the Observations and Recommendations of the Committee contained in their Ninety ninth Report (17th Lok Sabha)]

MINISTRY OF RAILWAYS (RAILWAY BOARD)

**PUBLIC ACCOUNTS COMMITTEE
(2024-25)**

EIGHTH REPORT

EIGHTEENTH LOK SABHA



**LOK SABHA SECRETARIAT
NEW DELHI**

E I G H T H R E P O R T

PUBLIC ACCOUNTS COMMITTEE
(2024-25)

(EIGHTEENTH LOK SABHA)

**EXTRA EXPENDITURE DUE TO
DELAY IN FINALIZING POWER
PURCHASE AGREEMENTS THROUGH
OPEN ACCESS-WEST CENTRAL
RAILWAY**

[Action Taken by the Government on the Observations and Recommendations of the Committee contained in their Ninety ninth Report (17th Lok Sabha)]



Presented to Lok Sabha on: 17.12.2024

Laid in Rajya Sabha on: 17.12.2024

L O K S A B H A S E C R E T A R I A T
N E W D E L H I

December 2024/ Agrahayana 1946 (Saka)

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COMPOSITION OF THE PUBLIC ACCOUNTS COMMITTEE

(2024-25)

Shri K. C. Venugopal - Chairperson

MEMBERS

LOK SABHA

2. Shri T. R. Baalu
3. Dr. Nishikant Dubey
4. Shri Jagdambika Pal
5. Shri Jai Parkash
6. Shri Ravi Shankar Prasad
7. Shri C. M. Ramesh
8. Shri Magunta Sreenivasulu Reddy
9. Prof. Sougata Ray
10. Smt. Aparajita Sarangi
11. Dr. Amar Singh
12. Shri Tejasvi Surya
13. Shri Anurag Singh Thakur
14. Shri Balashowry Vallabhaneni
15. Shri Dharmendra Yadav

RAJYA SABHA

16. Shri Ashokrao Shankarrao Chavan
17. Shri Shaktisinh Gohil
18. Dr. K. Laxman
19. Shri Praful Patel
20. Shri Sukhendu Sekhar Ray
21. Shri Tiruchi Siva
22. Shri Sudhanshu Trivedi

Secretariat

- | | | |
|----------------------------|---|-------------------|
| 1. Dr. Sanjeev Sharma | - | Joint Secretary |
| 2. Shri Muraleedharan. P | - | Director |
| 3. Shri Alok Mani Tripathi | - | Deputy Secretary |
| 4. Shri Charanjeet Singh | - | Committee Officer |

INTRODUCTION

I, the Chairperson, Public Accounts Committee (2024-25), having been authorised by the Committee, do present this Eighth Report (Eighteenth Lok Sabha) on Action Taken by the Government on the Observations and Recommendations of the Committee contained in their Ninety ninth Report (17th Lok Sabha) on “**Extra Expenditure due to delay in finalizing power purchase Agreements through Open Access: West Central Railway**” relating to the Ministry of Railways (Railway Board).

2. The Ninety ninth Report was presented to Lok Sabha/laid on the Table of Rajya Sabha on 07.02.2024. The Committee considered the draft Action Taken Report on the subject and adopted the same at their sitting held on 12.12.2024. Minutes of the Sitting of the Committee form appendix to the Report.

3. For facility of reference and convenience, the Observations and Recommendations of the Committee have been printed in **bold** in the body of the Report.

4. The Committee place on record their appreciation of the assistance rendered to them in the matter by the Committee Secretariat and the office of the Comptroller and Auditor General of India.

5. An analysis of the Action Taken by the Government on the Observations/Recommendations contained in the 99th Report (17th Lok Sabha) is given at Appendix-II

NEW DELHI:
12 December, 2024
21 Agrahayana, 1946 (Saka)

K. C. VENUGOPAL
Chairperson,
Public Accounts Committee

CHAPTER - I

REPORT

This Report of the Public Accounts Committee deals with the Action Taken by the Government on the Observations/Recommendations of the Committee contained in their Ninety Ninth Report (17th Lok Sabha) on “**Extra Expenditure due to delay in finalizing power purchase Agreements through Open Access: West Central Railway**” relating to the Ministry of Railways.

2. The Ninety Ninth Report (17th Lok Sabha), which was presented to Lok Sabha/laid in Rajya Sabha on 07 February, 2024, contained three Observations/Recommendations. The Action Taken Notes received from the Ministry of Railways have been broadly categorized as under :

- (i) Observations/Recommendations which have been accepted by the Government:
Para Nos. 1-3

Total: 03
Chapter - II

- (ii) Observations/Recommendations which the Committee do not desire to pursue in view of the replies received from the Government:
NIL

Total: 0
Chapter - III

- (iii) Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration:

NIL

Total: 0
Chapter - IV

- (iv) Observations/Recommendations in respect of which Government have furnished interim replies/no replies:

NIL

Total: 00
Chapter - V

3. The detailed examination of the subject by the Committee had revealed certain shortcomings on the part of the Ministry of Railways. The Committee had accordingly given their observations/recommendations in their Ninety Ninth Report.

4. The Action Taken Notes furnished by the Ministry on the Observations/Recommendations of the Committee contained in their Ninety Ninth Report (17th Lok Sabha) have been reproduced in the relevant chapters of this Report. The Committee will now deal with the Action Taken by the Government on some of their Observations/Recommendations made in the original Report which require reiteration/merit comments.

5. The Committee desire the Ministry of Railways to furnish Action Taken Notes in respect of observations/recommendations contained in Chapter I of the report, positively within three months of the presentation of the report to the Parliament.

6 Recommendation at Para No. 2

The Committee noted from audit observation that despite Ministry of Railways' instructions/repeated instructions of February/ March/April 2015 to ensure timely procurement of 'Availability Based Tariff' (ABT) compliant meters at the Traction Substations (TSS) points in 2015-16, the West Central Railway (WCR) Administration did not promptly do the needful to secure and install the necessary equipment (ABT meters). The ABT meters were finally procured and installed between the period 10 January 2017 and 20 April 2017. Thus, there was delay of more than a year in the procurement of ABT meters as well as in preparation of estimates resulting into huge extra expenditure of Rs. 75.10 crore during the period from 15 March 2016 to 10 January 2017. From the submission of the Ministry, the Committee noted that this activity did not involve Railway network alone. It involved State agencies and their network also, where Railway had no direct access, and without consent and involvement of the State agencies, ABT meters could not have been installed. Procurement of ABT meters and associated equipment could not be initiated without knowing the suitability/compatibility of ABT meters and associated equipment with the State Transmission Utilities (STUs) network and they continued to delay the matter on these issues. The Committee observe that it was only four months after Central Electricity Regulatory Commission's (CERC) order dated 05.11.2015 confirming the Railway as 'Deemed Licensee' eligible for procurement of power through Open Access, that the Railway wrote letters on 04.03.2016, 24.03.2016, 12.04.2016 and 25.04.2016 to RVPN with a request to provide ABT meters & 0.2 S class CT/PT. This resulted in wastage of four precious months. Further, from the submission made by the Ministry, the Committee noted that Zonal Railways were advised on 27.05.15 to provide details of ABT meters to Railway Energy Management Company Limited (REMCL) for inviting bids. Besides, a meeting was held on 10.09.15 with all Zonal Railways, wherein, inter-alia Zonal Railways were instructed to verify the class of CT/PT available at GSS (Grid Sub Station) from STUs and based upon the same only, STUs (State Transmission Utility) were to be asked to provide CT/PT & ABT meters. The Committee were of the view that after MoR's repeated instructions of March/April 2015 to obtain ABT compliant meters, the Railway Administration should have straight away initiated the process for completing the

procurement and installation of ABT meters without delays. The Committee, therefore, recommended that the Ministry needed to streamline and fast track the procedures for procurement of all items that are relevant to the Railways' operational network.

7. The Ministry of Railways in their Action Taken Notes have stated as under:

“The Railway’s status as ‘Deemed Licensee’ was sub-judice at Central Electricity Regulatory Commission (CERC). Railway had to wait for judgment of Hon’ble CERC in the matter till Nov-2015. After getting “Deemed Licensee” status, West Central Railway (WCR) wrote a letter to Energy Department Rajasthan on 17.02.2016, for issue of NOC to use State Transmission Utilities network for Open Access, after WCR was allotted power through Open Access in Rajasthan state. Later, Railway Energy Management Company Limited (REMCL) *vide* their letter dated 26.02.2016, furnished draft Power Purchase Agreement (PPA) for signing with Jindal India Thermal Power Ltd. (JITPL). On the same date, notice for disconnection of power supply from Rajasthan Discom was served to JVVNL, Jaipur by WCR. Initial request of NOC was also served to Rajasthan Vidyut Prasaran Nigam (RVPN) on 04.03.2016 without copy of signed PPA. In the Meantime, PPA was processed for legal vetting, accounts vetting and sanction by Competent Authority. Finally, PPA was signed on 15.03.2016 and letter for NOC was written to Rajasthan Rajya Vidyut Prasaran Nigam Ltd. (RVPN) on 24.03.2016 with copy of signed PPA. This action was completed well within time. Thus, WCR has taken prompt action without any delay for getting NOC from RVPNL after CERC order in November, 2015 and allocation of power to WCR.

WCR initiated the process of provision of ABT meters timely through State Govt. Authorities as per standard procedure, but they delayed the procurement as they were going to lose revenue by losing a valuable customer. After repeated chasing, finally they gave letter in April 2016 to Railway mentioning that “supply of ABT meters through their tender will take 6-7 months” and suggested Railway to install ABT meters by Railway itself. After that, Railway came to action immediately and done necessary process for purchase and installation of ABT meter and associated equipments. The entire process of sanction of detailed estimate and issue of LOA was done in just one month period and LOA was issued in May-2016.

Further, Railway applied to state Authorities for schematic diagram for installation of ABT meters. This was delayed by state Authorities by 03 months and finally Railway got these diagrams in the end of Aug-2016. In one month only Railway installed ABT meters and finally State Authorities gave NOC in end of Sep-2016.

Indian Railways have well defined and streamlined procedures for procurement of goods and services to meet the needs of Railways operational network. Amendments to further improve these procedures are a continuous process over IR, depending on requirements and in accordance with the guidelines of Government of India.

8. While vetting the above ATNs, Audit made the following comments:

“No comments”

9. The Committee had in their original report observed that the Ministry of Railway's repeated instructions of March/April 2015 to ensure timely procurement and installation of 'Availability Based Tariff' (ABT) compliant meters at the Traction sub-stations (TSS) points in 2015-16, the West Central Railway did not act promptly to do the needful and there was a delay of more than a year that resulted into huge extra expenditure of Rs.75.10 crore during the period from 15 March, 2016 to 10 January, 2017. Besides, four precious months were wasted by the Railways after the confirmation of their status as 'Deemed Licensee' by the Central Electricity Regulatory Commission (CERC). They had, therefore, recommended that the Ministry needed to streamline and fast track the procedures for procurement of all items that were relevant to the Railways' operational network. The Ministry in their Action Taken Note have stated that due to the Railways status as "Deemed Licensee" being sub-judice under Central Electricity Regulatory Commission (CERC), the Railway had to wait for judgment of CERC till November, 2015 and after that West Central Railway (WCR) took prompt action in the matter. The Ministry have further submitted that the State Governments delayed the procurement of ABT meter and suggested Railway to install meters on their own. Besides, there was also delay in getting schematic diagram for installation of ABT meters. The Ministry have further submitted that Railways have well defined and streamlined procedures for procurement of goods and services to meet the needs of Railways operational network. Thus, due to lack of proper coordination between different agencies and lackadaisical approach of the Railways, extra expenditure was incurred.

The Committee observe that the process for procurement and installation of ABT meters should have been promptly initiated by the Railways so that wasteful expenditure incurred due to inordinate delay in the process could be avoided. The accurate and real-time energy consumption data provided by ABT compliant meters would enable the Railways in efficient energy management and conservation. The Committee would like to recommend that the Railways should use inputs of demand scheduling with demand forecasting so that an economically optimal power purchase schedule is generated and implemented.

CHAPTER II

OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Observation/Recommendation

In order to reduce the traction tariff to optimize the unit cost of transportation, MoR (Ministry of Railways) issued (March 2015) instructions to all Zonal Railways to get direct power from Generating Companies through Open Access and ensure provision of Availability Based Tariff (ABT) Meters. Despite entering into the Agreement in March 2016 under Open Access, power supply was commenced only from January 2017 mainly due to delay in provisioning of ABT Meters. Delay in shifting to Open Access resulted in extra expenditure on power purchase amounting to Rs. 75.10 crore. Some of the issues contained in the Audit Report have been examined by the Committee and commented upon suitably in the succeeding paragraphs.

**(Recommendation/Observation No. 1 of 99th Report of
Public Accounts Committee
(17th Lok Sabha)**

Action Taken

Introductory: Observations are factual in nature.

Vetting Comments of Audit:

No further comments

Observation/Recommendation

The Committee note from audit observation that despite MoR's instructions/repeated instructions of February/ March/April 2015 to ensure timely procurement of 'Availability Based Tariff' (ABT) compliant meters at the TSS points in 2015-16, the WCR Administration did not promptly do the needful to secure and install the necessary equipment (ABT meters). The ABT meters were finally procured and installed between the period 10 January 2017 and 20 April 2017. Thus, there was delay of more than a year in the procurement of ABT meters as well as in preparation of estimates resulting into huge extra expenditure of Rs. 75.10 crore during the period from 15 March 2016 to 10 January 2017. From the submission

of the Ministry, the Committee note that this activity did not involve Railway network alone. It involved State agencies and their network also, where Railway has no direct access, and without consent and involvement of the State agencies, ABT meters could not have been installed. Procurement of ABT meters and associated equipment could not be initiated without knowing the suitability/compatibility of ABT meters and associated equipment with the State Transmission Utilities (STUs) network and they continued to delay the matter on these issues. The Committee observe that it was only four months after CERC's order dated 05.11.2015 confirming the Railway as 'Deemed Licensee eligible for procurement of power through 'Open Access', that the Railway wrote letters on 04.03.2016, 24.03.2016, 12.04.2016 and 25.04.2016 to RVPN with a request to provide ABT meters & 0.2 S class CT/PT. This resulted in wastage of four precious months. Further, from the submission made by the Ministry, the Committee note that Zonal Railways were advised on 27.05.15 to provide details of ABT meters to REMCL for inviting bids. Besides, a meeting was held on 10.09.15 with all Zonal Railways, wherein, inter-alia Zonal Railways were instructed to verify the class of CT/PT available at GSS (Grid Sub Station) from STUs and based upon the same only, STUs (State Transmission Utility) were to be asked to provide CT/PT & ABT meters. The Committee are of the view that after MoR's repeated instructions of March/April 2015 to obtain ABT compliant meters, the Railway Administration should have straight away initiated the process for completing the procurement and installation of ABT meters without delays. The Committee, therefore, recommend that the Ministry need to streamline and fast track the procedures for procurement of all items that are relevant to the Railways' operational network.

**(Recommendation/Observation No. 2 of 99th Report of
Public Accounts Committee
(17th Lok Sabha)**

Action Taken

“The Railway's status as 'Deemed Licensee' was under sub-judice at CERC. Railway had to wait for judgment of Hon'ble CERC in the matter till Nov-2015. After getting "Deemed Licensee" status, WCR wrote a letter to Energy Department Rajasthan on 17.02.2016, for issue of NOC to use STU network for Open Access, after WCR was allotted power through Open Access in Rajasthan state. Later, REMCL vide their letter dated 26.02.2016, furnished draft Power Purchase Agreement (PPA) for signing with Jindal India Thermal Power Ltd. (JITPL). On the same date, notice for disconnection of power supply from Rajasthan Discom was served to JVVNL, Jaipur by WCR. Initial request of NOC was also served to RVPN on 04.03.2016 without copy of signed PPA. In the Meantime, PPA was processed for legal vetting, accounts vetting and sanction by Competent Authority. Finally, PPA was signed on 15.03.2016 and letter for NOC was written to RVPN on 24.03.2016 with copy of signed PPA. This action was completed well within time. Thus, WCR has taken prompt action without any delay for getting NOC from RVPNL after CERC order in November, 2015 and allocation of power to WCR.

WCR initiated the process of provision of ABT meters timely through State Govt. Authorities as per standard procedure, but they delayed the procurement as they were going to lose revenue by losing a valuable customer. After repeated chasing, finally they gave letter in April 2016 to Railway mentioning that "supply of ABT meters through their tender will take 6-7 months" and suggested Railway to install ABT meters by Railway itself. After that, Railway came to action immediately and done necessary process for purchase and installation of ABT meter and associated equipments. The entire process of sanction of detailed estimate and issue of LOA was done in just one month period and LOA was issued in May-2016.

Further, Railway applied to state Authorities for schematic diagram for installation of ABT meters. This was delayed by state Authorities by 03 months and finally Railway got these diagrams in the end of Aug-2016. In one month only Railway installed ABT meters and finally State Authorities gave NOC in end of Sep-2016.

Indian Railways have well defined and streamlined procedures for procurement of goods and services to meet the needs of Railways operational network. Amendments to further improve these procedures are a continuous process over IR, depending on requirements and in accordance with the guidelines of Government of India.

Vetting Comments of Audit:

"No further comments"

Comments of the Committee

Please see Para No. 9 of Chapter I

Observation/Recommendation

The Committee note from audit observation that the Power supply through Open Access was commenced from 10 January 2017 in four TSSs (Traction Substation) and between 19 January 2017 and 20 April 2017 in remaining eight TSSs despite issuance of Letter of Award (LOA) in favour of the successful bidder *i. e.* M/s Jindal India Thermal Power Limited (JITPL) on 26 February 2016 and Agreement for procurement of Power between WCR and M/s JITPL on 15 March 2016. The Committee further note that delay in observance of MoR's instructions for fulfillment of pre-requisite requirements for purchase of power through Open Access deprived the Railway Administration of the savings in traction energy bills.

Despite availability of power at lower rate of Rs. 4.09 per kWh, WCR Administration purchased power at higher rate of Rs. 6.50 per kWh. From the submission of the Ministry, the Committee note that although Railway Board had advised for suitable arrangements for obtaining power through 'Open Access', there was ambiguity about 'Deemed Licensee' status, which was raised by various State Electricity Boards/Transmission Utilities. Railways were defending the 'Deemed Licensee' status, for procurement of power through 'Open Access', in CERC. The Committee are of the view that in the first place, spending as many as four months in clearing the discrepancies at the application stage, which contributed to the delays and wasteful expenditure should have been avoided. The Committee are also of the view that after CERC issued orders dated 05.11.2015 confirming the Railway as 'Deemed Licensee', obtaining power through open access should have been ensured promptly. The Committee desire to be apprised of the status in this regard.

**(Recommendation/Observation No. 3 of 99th Report of
Public Accounts Committee
(17th Lok Sabha)**

Action Taken

Correspondences were done with state bodies for grant of NOC but they purposefully delayed the NOC as the State Agencies were losing valuable revenue from Railway. This activity was not only involving Railway network but it also involved State agencies and their network also, where railway has no direct access and without consent and involvement of State agencies, ABT meters could not have been installed. Therefore, it took four months in clearing the discrepancies at the application stage.

Further, the explanation for delay of four months in clearing the discrepancies at the application stage has been covered in the reply to Para-2 above.

Vetting Comments of Audit:

No further comments

CHAPTER III

OBSERVATIONS/RECOMMENDATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE REPLIES RECEIVED FROM THE GOVERNMENT

NIL

CHAPTER IV

- (v) **Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee which require reiteration**

NIL

CHAPTER V

- (i) **Observations/Recommendations in respect of which Government have furnished interim replies/no replies:**

NIL

NEW DELHI:
12 December, 2024
21 Agrahayana, 1946 (*Saka*)

K. C. VENUGOPAL
Chairperson,
Public Accounts Committee

APPENDIX-I

MINUTES OF THE 9th SITTING OF THE COMMITTEE ON PUBLIC ACCOUNTS (2024-25) HELD ON 12th DECEMBER 2024 FROM 1530 HRS. ONWARDS

The Committee met on Thursday from 1530 hrs. to 1730 hrs. on 12th December, 2024 in Committee Room 'B', PHA, New Delhi.

PRESENT

Shri K.C. Venugopal

-

Chairperson

Members

LOK SABHA

2. Dr. Nishikant Dubey
3. Shri Jagdambika Pal
4. Shri C. M. Ramesh
5. Shri Magunta Sreenivasulu Reddy
6. Prof. Sougata Ray
7. Smt. Aparajita Sarangi
8. Dr. Amar Singh
9. Shri Tejasvi Surya
10. Shri Anurag Singh Thakur
11. Shri Dharmendra Yadav

RAJYA SABHA

12. Shri Ashokrao Shankarrao Chavan
13. Shri Shaktisinh Gohil
14. Dr. K. Laxman
15. Shri Sukhendu Sekhar Ray
16. Shri Sudhanshu Trivedi

LOK SABHA SECRETARIAT

1. Dr. Sanjeev Sharma - Joint Secretary
2. Shri Muraleedharan. P - Director
3. Shri Alok Mani Tripathi - Deputy Secretary
4. Shri Pankaj Sharma - Deputy Secretary
5. Shri Atul Bhave - Deputy Secretary
6. Ms. Malvika Mehta - Deputy Secretary
7. Dr. Faiz Ahmad - Under Secretary

REPRESENTATIVES OF THE OFFICE OF THE COMPTROLLER AND AUDITOR GENERAL OF INDIA

1. Ms. Atreyee Das - Dy. CAG
2. Ms. Smita S. Chaudhari - Dy. CAG
3. Shri Samar Kant Thakur - Director General
4. Shri Gurveen Sindhu - Director General

PART A

XXXXX XXXXX XXXXX XXXXX XXXXX XXXXX

PART B

Thereafter, Hon'ble Chairperson stated that the following three draft reports may be taken up for consideration and adoption :-

- a) XXXXX XXXXX XXXXX;
- b) Action Taken by the Government on the observations/recommendations of the Public Accounts Committee contained in their 99th Report (17th Lok Sabha) on "Extra expenditure due to delay in finalizing power purchase agreements through open access-West Central Railway"; and
- c) XXXXX XXXXX XXXXX.

After some deliberations, the Committee adopted the aforesaid Draft Reports without any modifications and authorised the Chairperson to finalise the Reports in the light of factual verification done by the Audit.

The Committee then adjourned.

A copy of the transcript of audio recording of the proceedings of the sitting has been kept on record.

APPENDIX-II

(Vide Paragraph 5 of Introduction)

ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE OBSERVATIONS/RECOMMENDATIONS OF THE PUBLIC ACCOUNTS COMMITTEE CONTAINED IN THEIR NINETY NINTH REPORT (SEVENTEENTH LOK SABHA)

(i)	Total number of Observations/Recommendations	3
(ii)	Observations/Recommendations of the Committee which have been accepted by the Government: Para Nos. 1, 2 and 3	Total: 3 Percentage: 100
(iii)	Observations/Recommendations which the Committee do not desire to pursue in view of the reply of the Government: Para No. – NIL	Total: 0 Percentage: 0
(iv)	Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration: Para No. – NIL	Total: 0 Percentage: 0
(v)	Observations/Recommendations in respect of which the Government have furnished interim replies: Para No. – NIL	Total: 0 Percentage: 0