

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Coram:

1. Shri D.P. Sinha, Member
2. Shri G.S. Rajamani, Member
3. Shri K.N. Sinha, Member

**Review Petition No. 16/2001
in
Enquiry No. 1/2001**

In the matter of

Grid disturbance on 2nd January 2001 in the Northern Region

And in the matter of

Power Grid Corporation of India Ltd	...	Petitioner
Vs		
1. Rajasthan Rajya Vidyut Prasaran Nigam Ltd		
2. Uttar Pradesh Power Corporation Ltd		
3. Delhi Vidyut Board		
4. Haryana Vidyut Prasaran Nigam Ltd		
5. Punjab State Electricity Board		
6. Himachal Pradesh State Electricity Board		
7. Power Development Department, Govt. of J&K		
8. Power Deptt., Union Territory of Chandigarh	Respondents

Present:

1. Shri K.K. Das, GM(SO), PGCIL

**ORDER
(DATE OF HEARING 09.07.2001)**

The entire Northern Region lapsed into total darkness on 2.1.2001 on account of failure of the Northern Grid. The Commission initiated *suo motu* proceedings to enquire into the incident, with particular reference to the role of various functionaries in ensuring compliance of the provisions of the IEGC

approved by the Commission. The hearing was held on 15.1.2001 when the Commission gave certain directions to avoid recurrence of such incidents in future. The petitioner, PGCIL has filed the present review petition on 20.2.2001, seeking review of some of the observations/directions in the Commission's order dated 15.1.2001. Shri K.K. Das, General Manager of the petitioner company was heard on admission of review petition on 9.7.2001. The issues raised by the petitioner in the present review petition are discussed in the succeeding paragraphs.

2. It has been alleged that the Commission is still "unclear" about the meaning of "CTU". It is stated that the observations made by the Commission in para 5 of the order dated 15.1.2001 is against the provisions of the statute, calling for review of these observations. During the hearing, a statement was made by Shri Bhanu Bhushan, Director (Operations), of the petitioner company that CTU had no role in ensuring enforcement of directions issued by RLDC for integrated operation of regional grid since, according to him, RLDC is declared as an apex body under Section 55(2) of the Electricity (Supply) Act, 1948. In view of the statement, the Commission observed that there was insufficient understanding by the CTU of its statutory role and functions. Section 55(1) of the Electricity (Supply) Act, 1948 legislates that the Central Transmission Utility shall "operate" the Regional Load Despatch Centres. The import of word "operate" has already been considered by the Commission in its order dated 20.6.2001 in Review Petition no. 20/2001 filed by the present petitioner itself, where a similar contention was raised on behalf of the petitioner company. After detailed

discussion of the statutory provisions, we did not find any merit in the contention raised. In view of this, we do not propose to go into any further detailed examination of this issue raised in the present review petition and re-iterate the views already recorded in the order of 20.6.2001.

3. The petitioner has raised another issue of interpretation of the term “inter-state transmission system” defined in Indian Electricity Act 1910. During the hearing on 15.1.2001, it emerged that the grid disturbance was the result of the cascading effect following the failure of Obra-Panki-Muradnagar 400 kV line, owned by Uttar Pradesh Power Corporation Limited (UPPCL). The function of supervision and control over the inter-state transmission system is assigned to the CTU under Section 27 A of the Indian Electricity Act, 1910. The line in question is used for conveyance of inter-state energy. The Commission with reference to the term “inter-state transmission” defined in Section 2(e)(ii) of Electricity Regulatory Commission Act, 1998 observed that the CTU, in exercise of its supervisory function, ought to have ensured proper maintenance and cleanliness of transmission lines in sensitive areas prone to pollution/fog, particularly where the state authorities owning these lines are insensitive to proper maintenance. It is the contention of the petitioner that “inter-state transmission system” as defined under Indian Electricity Act, 1910, has a different connotation as compared to the definition of “inter-state transmission” given under the ERC Act, 1998. We do not find any merit in the contention raised. The definition of “inter-state transmission” given under ERC Act is *pari materia* with the definition of “inter-state transmission system” given under Indian

Electricity Act, 1910. As the Obra-Panki-Muradnagar 400 kV line, though belonging to UPPCL forms part of the inter-state transmission system, the CTU is endowed with the responsibility to exercise supervision and control over the “inter-state transmission system” and thereby to ensure proper maintenance of the lines forming part of the “inter-state transmission system”. The petitioner has also questioned the correctness of the directions of the Commission contained in para 18 & 20 of the order. In para 18 of the order, a direction for restoration of automatic under frequency relays was given. In para 20 of the order, the tenability of the view expressed on behalf of CTU regarding implementation of IEGC has been discussed. We do not find any merit in these contentions too as has been discussed in the paras that follow.

4. The Commission in para 2 of its order, after narrating various incidents, concluded that the collapse of the grid was attributable to the cumulative effect of those incidents. It has been pointed out by the petitioner that the event which actually triggered the grid disturbance was tripping-of of 400 kV Kanpur-Agra line at 0437 hours and it could not be on account of cumulative effect of the incidents referred to by the Commission in para 2 of the order. All the incidents narrated in the order dated 15.1.2001 are antecedent to the grid disturbance that took place in early hours of 2.1.2001. Obviously, these were the contributory factors, leading to the grid disturbance. Therefore, the observations of the Commission that the “collapse of the grid is attributed to the cumulative effect of these incidents” cannot be faulted by any reasoning or by resorting to hair-splitting.

5. In para 7(a) of the order dated 15.1.2001, it is stated that “CEA also presented that past performance of the same equipment has been reported as unsatisfactory during enquiry into eastern grid disturbance”. It has been pointed out by the petitioner company that equipment failure in Northern Region has no relevance to the grid disturbance in Eastern Region in July, 2000 and hence the observation needs to be rectified by review. The portion of para 7(a) as extracted above and impugned by the petitioner, does not in any manner attribute the observation to the Commission. It clearly records that this is a statement made on behalf of CEA. The word “Eastern” figuring in para 7 (a) is a typographical error and should be corrected as “western”.

6. In para 10 of its order dated 15.1.2001, the Commission had directed the CTU to install, within one month tape recorders with timer facility in Control Rooms of RLDCs to record each telephonic conversation. It has been stated that necessary voice recording facility on all speech communication lines for NRLDC had been ordered but its installation and commissioning was possible by May 2001. The petitioner does not dispute the direction itself, but probably pressed for more time for compliance of the direction. The period which was considered reasonable by the petitioner itself has already expired. Therefore, this as a ground for review of the order, no longer subsists. The Commission had also directed that RLDCs directions should be given only through the Control Room and not from any other place of the building. The petitioner company has stated that such a direction is beyond the powers of the Commission conferred under Section 12 of the ERC Act and has sought review of this direction. This direction

needs to be read in conjunction with the direction regarding installation of voice recording facility. Since this facility has to be installed in the Control Room of RLDCs, the question of giving directions by RLDC staff from any other part of the building should not arise. When viewed in this context, the contention fails.

7. It is further contended on behalf of the petitioner that when UPPCL's 400 kV Panki-Muradnagar and Unnao-Agra lines had tripped, the State Load Despatch Centre of UP should have instructed generation reduction at Anpara /Obra generating stations as per standing instructions issued by NRLDC on 19.12.2001, without waiting for any advice from NRLDC. The petitioner has prayed that the failure of SLDC of UP to take appropriate action should be recorded in the order. Notice for enquiry conducted on 15.1.2001 was not issued to any of SLDCs but to the agencies who were operating the respective SLDCs . We feel that non-recording of observations regarding role of UPSLDC advertently or inadvertently, should not be made a cause for grievance by the petitioner.

8. In para 11 of the Commission's order, the scheduled/actual generation of Singrauli and Rihand Stations belonging to NTPC at different times prior to the occurrence has been extracted. Based on the analysis of the data, in para 12 of the order the Commission warned that NTPC in future should ensure to follow the schedule given to it by the RLDC. The petitioner has pointed out that tabulation given under para 11 of the order is inaccurate since scheduled generation figures are given for net plant out put (Ex-busbar) whereas actual

generation figures are given for gross generation (on generator terminals). It is the contention of the petitioner that based on this data, the Commission has arrived at wrong conclusions in para 12 of the order. As we have noted above, the observations in para 11 and 12 relate to NTPC. The petitioner cannot in any manner be stated to be aggrieved either by the data tabulated under para 11 or the observations made under para 12 thereof and, therefore, cannot seek review of order. In terms of statutory provisions contained in Section 114 read with Rule 1 Order XLVII of the Civil Procedure Code only a person considering himself "aggrieved" by an order can seek its review. This issue has already been considered by the Commission in its order dated 31.7.2001 in review petition No.22/2001 filed by NTPC where similar arguments were put forth. We did not find any merit in the arguments of NTPC and the said petition was dismissed at the admission stage. Therefore, the review petition on the ground stated above is not maintainable.

9. In the IEGC approved by the Commission, a direction for restoration of free governor action in all thermal generating units of 200 MW and above was given. This direction had not been complied with. Therefore, the Commission once again in its order dated 15.1.2001 directed the CTU and the concerned generators to restore within one month the operation of free governors in 500 MW units. It was further directed that for other 200 MW to 500 MW units the free governor should be restored within three months. It has been argued by the petitioner that restoration of free governor has to coincide with the implementation of commercial mechanism. It is also argued that CTU can only

coordinate restoration of free governor which is the responsibility of the concerned generating stations. We make it clear that since the generating stations are not owned by the petitioner company, it does not have any responsibility towards restoration of free governors. However as CTU, the petitioner cannot be absolved of the responsibility of overseeing the restoration of free governor in the generating stations, in the interest of inter-state transmission of energy, the supervision and control of which is assigned to the CTU. It is also to be clarified that implementation of free governor is not a pre-condition in installation of commercial mechanism. It is a distinctly independent requirement irrespective of either ABT or the current Energy Accounting procedure. Therefore, we do not find any merit in calling in question on the contents of para 20 of the order dated 5.1.2001. Therefore, the argument of the petitioner of linking restoration of free governor with implementation of commercial mechanism does not survive at this stage. Therefore, the review of the order on this ground even if the argument put forth by the petitioner is taken as correct, does not survive.

10. A similar direction for restoration of automatic under frequency relays was recorded in para 18 of the order dated 15.1.2001. It is the contention of the petitioner that CTU does not have any role in the matter. There is no dispute that direction for restoration of under frequency relays does not apply exclusively to the petitioner but to those involved in distribution/supply of power. The responsibility envisaged for the petitioner is to report the status of compliance of

the direction to the Commission, since CTU as operator of RLDC has to exercise overall supervision for ensuring integrated grid operation.

11. We take notice of the fact that in the Commission's order dated 15.1.2001 various directives are to the CTU which is a statutory authority under the Indian Electricity Act, 1910 and the present petition has been filed by the Power Grid Corporation of India Ltd.

12. In the light of above discussion, we do not find that there is any error apparent on the face of record calling for review of the Commission's order. Neither do we find any new evidence, which the petitioner could not produce at the time of original enquiry into the grid collapse. Therefore, we are of the considered opinion that the petition seeking review of various directions of the Commission is not in conformity with the statutory provisions contained in Section 114 read with Rule 1 Order XLVII of the Civil Procedure Court. We are, therefore, of the view that the review petition is liable to be dismissed at the admission stage itself. We order accordingly.

Sd/-
(K.N. SINHA)
MEMBER

Sd/-
(G.S. RAJAMANI)
MEMBER

Sd/-
(D.P. SINHA)
MEMBER

New Delhi dated the 7th December 2001.