

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Coram:**

1. **Shri Ashok Basu, Chairman**
2. **Shri K.N. Sinha, Member**

**Petition No.43/2003  
and  
IA No. 45/2003 in Pet No. 43/2003**

**In the matter of**

Removing difficulties in implementation of ABT order

**And in the matter**

National Thermal Power Corporation Ltd

.....**Petitioner**

Vs

Central Electricity Authority and others

.... **Respondents**

The following were present:

1. Shri C.P. Chirania, CE (Comml.), RRVPNL
2. Shri K.K. Mittal, XEN(IST), RRVPNL
3. Shri S. Sowmyanarayanan, Consultant, TNEB
4. Shri K. Srinivasa Rao, SE, SREB
5. Shri R. Suresh, DGM(Comml.), NLC
6. Shri M.K. Adhikary, ASEB
7. Shri B.K. Misra, MS, EREB
8. Shri C.K. Sahajwani, HVPN
9. Shri H.K. Sharma, ASEB
10. Mrs. Rinchen O. Bhutia, Advocate, Power Department, Govt. of Sikkim
11. Shri Jayant Verma, Sr. Advocate, UPPCL
12. Shri D.D. Chopra, Advocate, UPPCL
13. Shri K.K. Garg, GM(Comml.), NTPC
14. Shri S.S. Chauhan, MDC
15. Shri Parag P. Tripathi, Sr. Advocate, NEEPCO
16. Shri Sudhir Mishra, Advocate, NEEPCO
17. Shri Malcom D. Ray, ED(Comml.), NEEPCO
18. Shri Akhtar Hussein, Sr. Manager (E), NEEPCO
19. Shri B. Maharana, M(F), NEEPCO
20. Shri Deboni Dey, Sr. Manager (F), NEEPCO
21. Shri V. Vekanna, AM(F), NEEPCO
22. Shri Pankaj Singh, Advocate, NEEPCO
23. Shri V.B.K. Jain, GM(C), NTPC

24. Shri M.S. Chawla, AGM(C), NTPC
25. Shri S.K. Samui, SM(C), NTPC
26. Shri E.Surendra, Dy. Manager (C), NTPC
27. Shri A.K. Juneja, DGM(Comml.), NTPC
28. Shri K.K. Panda, GRIDCO
29. Shri A.P. Bhairve, Addl. SE (LD), MPSEB

**ORDER**  
**(DATE OF HEARING: 25.8.2003)**

The petition has been filed by the petitioner to seek certain amendments to ABT procedure and matters connected therewith as certain difficulties were reportedly being faced in its implementation.

**IA NO. 45/2003**

2. IA No. 45/2003 was filed for amendment of the petition, notice on which was issued on 11.8.2003 returnable on 25.8.2003. We heard the representative of the petitioner on the question of amendment. The amendments prayed for in IA No. 45/2003 have not been opposed by the respondents. Therefore, the amendments to the main petition sought are allowed. We direct that the amended petition already filed along with this IA be taken on record. IA No. 45/2003 stands disposed of.

**Petition No. 43/2003**

3. We have heard the representative of the petitioner as also those of respondents on the question of admission of the petition. During the course of hearing, the representatives of some of the respondents argued on merits the

admissibility of the relief prayed for in the petition. Upon hearing the representative of the petitioner and the respondents, we are satisfied that a prima facie case for adjudication of the issues raised in the petition has been made out. We accordingly admit the petition.

4. The copy of the amended petition has been served on the respondents. We direct that respondents may file their replies to the amended petition within 4 weeks with advance copy to the petitioner who may file its rejoinder, if any, within two weeks of the receipt of the copy of the reply.

5. List this petition on 23<sup>rd</sup> October, 2003.

**Sd/-  
(K.N. SINHA)  
MEMBER**

**Sd/-  
(ASHOK BASU)  
CHAIRMAN**

New Delhi dated the 29<sup>th</sup> August, 2003