

**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.80/2001**

**In the matter of**

Maintaining the Regional Grid Frequency at 49.0 Hz and above and compliance of direction of Regional Load Despatch Centre.

**And in the matter of**

Kamataka Power Transmission Corp. Ltd.

.... Petitioner

VS

1. Southern Regional Load Despatch Centre
2. Andhra Pradesh Transmission Corporation Ltd.
3. Kerala State Electricity Board
4. Tamilnadu State Electricity Board
5. Department of Energy Secretariat, Govt, of Pondicherry
6. National Thermal Power Corporation Ltd.
7. Nuclear Power Corporation Ltd.
8. Neyveli Lignite Corporation Ltd.
9. Southern Regional Electricity Board

.... Respondents

The following were present:

1. Shri B.S. Sheshadri, KPTCL
2. Shri M.H. Parviz, KPTCL

**ORDER (DATE OF HEARING  
29-10-2001)**

The present application for review arises out of our Order dated 03-08-2001 in Petition No.93/2000 and other related petitions (Southern Regional Load Despatch Centre versus Andhra Pradesh Transmission Corporation Ltd. & others).

2. We directed the beneficiaries/respondents, which included the present petitioner, to schedule their drawals from the Southern Regional Grid in such a manner that the frequency of the regional grid is not allowed to fall below 48.5 Hz during August-October, 2001 and thereafter the frequency should be maintained above the level of 49.0 Hz by adopting appropriate measures, to comply with the provisions of IEGC.

3. In the present Review Petition filed on 3-10-2001, the petitioner, Karnataka Power Transmission Corporation Ltd. has prayed for deferment of implementation of the order dated 3-8-2001 upto June, 2002 and for permission to overdraw within limitations the minimum energy as may be required to meet its demand. It has been stated that failure of monsoon in the State during June, 2001 and onwards has caused shortage of water as a result of which there is additional demand of energy to the extent of 13%, as compared to the demand for the corresponding period during 2000. It is stated that though it has been resorting to load-shedding, yet it has not been able to meet the requirements of additional power, particularly those of agriculturists for irrigation of fields. It is also stated that the petitioner has made efforts to maximise thermal generation

and to harness all the IPPs in the State to meet its additional requirement of power but these efforts have not yielded the desired result. Hence the application for review with the prayers noted above has been made.

4. The review petition is listed for admission. We have heard Shri B.S. Sheshadri for the petitioner. The Commission is conferred with powers of review as conferred on a Civil Court under the Code of Civil Procedure. The power of review of an order is limited to an error apparent on the face of record or recovery of new evidence by the aggrieved person, which was not available to it after exercise of due diligence or any other ground analogous to these grounds. We are not satisfied that on the grounds stated in the review petition, a case for review of order within the statutory prescription has been made out. The plea of failure of monsoon in the State was available to the petitioner at the time of hearing of Petition No.93/2000 and the related petitions during July, 2001 and this ground was raised on its behalf. Yet, an order giving directions for adopting suitable measure for improving the grid frequency and for adhering to the schedule, were passed. The relevant portion of order is extracted below:-

*"Accordingly, we direct that the beneficiary states shall schedule their draws from the Regional Grid in such a manner that during the first three months i.e. from 1<sup>st</sup> August 2001 to 31<sup>st</sup> October 2001 the frequency of the Regional Grid shall not be allowed to fall below 48.5 Hz. Thereafter, during the next three months, that is up to 31<sup>st</sup> January, 2002, the frequency shall be maintained above the level of 49.0 Hz by taking suitable measures to comply with the provisions of IEGC. The measures adopted may be to increase the generation within the region or import of power from neighbouring regions or through proper load management and load shedding. We want to make it clear that these directions shall not be construed to absolve the respondents of their liability to pay Unscheduled Inter-change charges under the ABT regime."*

5. The petitioner seeks review of the order on the ground of hardship that is likely to be caused in case the order is implemented. We do not find this as sufficient ground for review of our earlier order dated 03-08-2001. The only alternative available to the petitioner is to have a resort to the measures listed in our order of 03-08-2001 and we reiterate those directions. The remedy of review is not available to it under these circumstances. In case the prayers made by the petitioner are allowed, it will contribute towards indiscipline in the regional grid. The Commission which has the onerous responsibility of regulating the interstate transmission of energy and in the process of ensuring proper grid discipline cannot be instrumental to such indiscipline by yielding to the machination of the players in the field.

6. In the light of above discussion, the review petition is dismissed at the state of admission.

(K.ta. Sihha)  
Member

**P-**

■ V- a.\* ■ - \_ - f\* -  
(G.S. Rajamani)  
Member

"T

  
(D.I. Nafia)  
Member

New Delhi dated: 6<sup>th</sup> November, 2001.