

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 18/SM/2015**

Subject : Suo motu Petition in the matter of declaration of commercial operation of Units 20 to 50 of Mundra Ultra Mega Power Project developed by Coastal Gujarat Power Ltd

Date of hearing : **23.2.2016**

Coram : Shri Gireesh. B. Pradhan, Chairperson  
Shri A.K.Singhal, Member  
Shri A.S. Bakshi, Member  
Dr. M.K.Iyer, Member

Respondents : Coastal Gujarat Power Ltd & 11 Others

Parties present : Shri Amit Kapur, Advocate, CGPL  
Shri Abhishek Munot, Advocate, CGPL  
Shri Kunal Kaul, Advocate, CGPL  
Ms. Raveena Dhamija, Advocate, CGPL  
Ms. Anushree Bardhan, Advocate, GUVNL  
Shri Sitesh Mukherjee, Advocate, WRLDC  
Ms. Akasha Tyagi, Advocate, WRLDC  
Shri S.S.Barpanda, NLDC  
Ms. Jayantika Singh, POSOCO  
Ms. Pragya Singh, WRLDC  
Ms. Divya Chaturvedi, Advocate, B & V  
Shri Brahmendra Thakur, B&V  
Ms. S.Usha  
Shri M.C.Bansal

**RECORD OF PROCEEDINGS**

During the hearing, Shri M.C.Bansal submitted that in terms of the order of the Commission dated 30.12.2015, necessary information in support of the issues raised by him has been filed. He however submitted that copies of the information if any, filed by other respondents have not been served on him.

2. At the outset, the learned counsel for the respondent, CGPL submitted that in the reply filed by CGPL, two preliminary objections have been raised. Firstly, Shri Bansal is not an aggrieved/affected /interested party and hence cannot be a party to the proceedings, Secondly, the Commission does not have the jurisdiction of a Writ court to entertain the Public Interest Litigation and therefore, the present proceedings are not maintainable. Learned counsel submitted that the preliminary objections may first be considered and decided before proceeding to the merits of the proceedings.

3. The learned counsel for respondent No.11 (B&V Consulting Pvt Ltd) submitted that it has received the copy of the information filed by Shri Bansal today. The learned counsel appearing for the respondents, WRLDC and GUVNL submitted that they have not received the copy of the information filed by Shri Bansal.

4. The Commission clarified that Shri Bansal has been made a Proforma respondent in the matter in order to assist the Commission, if considered necessary. The Commission



further clarified that the present *suo motu* petition has been initiated to ascertain the factual position with regard to the testing and commissioning of the units of Mundra UMPP.

5. The Commission directed that the petition shall be listed for hearing on the preliminary issues raised by CGPL. The Commission accordingly directed CGPL to serve its submissions with regard to maintainability on Shri Bansal by 8.3.2016.

6. Matter shall be listed for hearing on 28.4.2016.

By Order of the Commission

**Sd/-**  
(T. Rout)  
Chief (Law)

