

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Writ Petition No. 17044 of 2015**

**Subject** : Reference from the Hon'ble High Court of Calcutta under Article 226 of Constitution of India in Writ Petition No. 17044 of 2015 Eastern Coalfields Limited & Anr. V/s Eastern Regional Power Committee and Others.

**Date of Hearing** : 11.7.2019

**Coram** : Shri P.K. Pujari, Chairperson  
Dr. M. K. Iyer, Member  
Shri I.S. Jha, Member

**Petitioner** : Eastern Coalfields Limited & Anr.

**Respondents** : Eastern Regional Power Committee and Others.

**Parties present** : Shri S. Jana, ECL  
Shri S. Kejriwal, ERPC

**Record of Proceedings**

The Eastern Coalfields Limited (ECL) filed Writ Petition No. 17044 of 2015 before the Hon'ble High Court of Calcutta against the direction of Eastern Regional Power Committee (ERPC) in the meeting dated 24.3.2015 to handover the Farakka Lalmatia Transmission System (FLTS) to Jharkhand Urja Sancharan Nigam Limited (JUSNL). The Writ was partially allowed vide judgement dated 23.9.2016, wherein ECL and the authorities under the Electricity Act, 2003 were directed to work out the modalities for lawful transfer of the transmission line or the functions of operation and maintenance to an authority or body. Till then NTPC was directed to continue to operate and maintain the FLTS under the ownership of ECL.

2. Against the judgement dated 23.9.2016, NTPC filed an Appeal. The Hon'ble High Court of Calcutta vide its Order dated 10.6.2019 has made a reference under Article 226 of the Constitution of India to the Central Commission to consider all aspects of the disputes and decide on them and place its decision before the High Court of Calcutta within a period of four months from the date of receipt of the order. The Hon'ble Court further directed the parties in Appeal and the interested parties to mark their appearance before the Commission for obtaining the dates on which the Commission would hear the parties and decide the matter. However, none of the parties appeared before the Commission.

3. Therefore, the Commission issued notice to ECL, ERPC, NTPC, JBVNL and JUSNL to appear on 11.7.2019. The representatives of the ECL and ERPC appeared before the Commission today. The Commission directed ECL to file a Petition covering all the issues and making all the necessary parties as respondents, including PGCIL before 29.7.2017 and serve a copy of the same on the respondents by 2.8.2019. The



Commission directed the parties to complete the pleadings by 23.8.2019 and further directed to list the matter during the last week of August, 2019.

4. The Commission directed the representative of ECL present to discuss with the staff of the Commission and understand the procedure for e-filing of the petition. The Commission also directed that since the matter is a reference from the Hon'ble High Court of Calcutta, the filing fee for the Petition shall be exempted.

5. The next date of hearing will be intimated to the parties after filing of the petition by ECL.

**By order of the Commission**

sd/-  
(V. Sreenivas)  
Deputy Chief (Law)

