

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 427/MP/2019**

Subject : Petition under Section 79(1)(f) read with Section 79(1)(k) of the Electricity Act, 2003 seeking indulgence of the Commission to direct NTPC Vidyut Vyapar Nigam Limited to extend the SCOD of the Generation Project based on the Notifications dated 2.11.2011, 9.1.2013, 3.1.2014 and 17.12.2014 issued by Government of Andhra Pradesh, whereunder, the government has notified the project area as drought affected area for the period June 2011 to September 2011, June 2012 to September 2012, June 2013 to September 2013 and June 2014 to September 2014.

Date of Hearing : 11.8.2020

Coram : Shri P. K. Pujari, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member

Petitioner : Megha Engineering & Infrastructures Limited (MEIL)

Respondents : NTPC Vidyut Vyapar Nigam Limited (NVTN) and 17 Ors.

Parties present : Shri Sakhya Chaudhri, Advocate, MEIL  
Shri Nishant Talwar, Advocate, MEIL  
Shri M.G. Ramachandran, Sr. Advocate, NVTN  
Ms. Anushree Bardhan, Advocate, NVTN  
Ms. Renu Sarin, NVTN  
Shri Sujoy Das Verma, NVTN

**Record of Proceedings**

The matter was heard through video conferencing.

2. At the outset, learned senior counsel for the Respondent, NTPC Vidyut Vyapar Nigam Limited (NVTN), sought permission to file its reply. Learned senior counsel submitted that copy of the reply has already been served on the Petitioner. However, the same is yet to be filed on e-filing portal of the Commission.

3. Learned counsel for the Petitioner sought a week's time to file its rejoinder. Learned counsel further submitted that the Commission, in its order dated 20.1.2020 in Petition No. 100/MP/2018, has directed the Respondents not to encash the performance Bank Guarantee till the disposal of the present Petition and has also directed the Petitioner to keep the Performance Bank Guarantee valid. Learned counsel submitted that since the Bank Guarantee is coming up for renewal, the Commission may take up the matter at the earliest.



4. Considering the request of learned senior counsel for the Respondent, the Commission directed the Respondent, NVVNL to file its reply on e-filing portal by 17.8.2020 and the Petitioner was directed to file its rejoinder, on or before, 27.8.2020. The due date of filing of reply and rejoinder should be strictly complied with.

5. The Commission further directed the Petitioner to keep the Bank Guarantee valid till the disposal of the present Petition and the Respondents not to encash the performance Bank Guarantee till the disposal of the present Petition.

6. The Petition shall be listed for hearing in due course for which separate notice will be issued.

**By order of the Commission**

**Sd/-  
(T.D. Pant)  
Deputy Chief (Law)**

