

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 11/MP/2023

Subject : Petition under Section 79 (1) (b) of the Electricity Act, 2003 seeking approval for entering into an Agreement with the Indian Railways for Gati Multi-modal Cargo Terminal under Gati Shakti Multi- Modal Cargo Terminal (GCT) Policy 2021.

Petitioner : Maithon Power Limited

Respondents : TPDDL and 4 others

Date of Hearing: **20.4.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present: Shri Venkatesh, Advocate, MPL
Shri Nihal Bhardwaj, Advocate, MPL
Shri Ashutosh K. Srivastava, Advocate, MPL
Shri Nikunj Bhatnagar, Advocate, MPL
Shri Pankaj Prakash, MPL

Record of Proceedings

During the hearing, the learned counsel for the Petitioner submitted that present Petition has been filed for approval of entering into an agreement with the Railway for Gati Multi-modal Cargo Terminal in terms of the Gati Shakti Multi-Modal Cargo Terminal (GCT) Policy, 2021. He further made brief background submissions of the case, leading to the agreement with Railways, in terms of the said Policy.

2. On a specific query by the Commission as to whether the Policy mandates the Petitioner to enter into an agreement, the learned counsel for the Petitioner affirmed the same. On a further query on the impact in tariff, consequent upon the agreement, the learned counsel clarified that tariff would remain unaffected.

3. After hearing the learned counsel for the Petitioner, the Commission observed as under:

(a) Admit and Issue notice.

(b) The Petitioner is directed to furnish the following additional information by **22.5.2023**:



(i) *The detailed original scope of works and pictorial representation associated with 'Railway Siding' and the details of 13 components thereof along with the approved estimated costs and apportionments thereof for Phase I, II & III capacity additions.*

(ii) *The scope of works finalized for 'Railway Siding' along with approved estimated costs, after dropping capacity expansion and the present status of each component of 'Railway Siding' along with actual cost incurred (Capital cost, IDC and Interest) thereof.*

(iii) *The details of land, assets developed, cost incurred etc, for transportation of coal from ECL i.e. Mugma station.*

(iv) *The benefit / rebate envisaged to Petitioner, Beneficiaries and Indian Railways on entering such agreement along with impact on cost of coal received at station and tariff thereof.*

(v) *The impact of transferring subject assets, to Indian Railways, on Capital Cost of the project, including depreciation and decapitalization of these assets.*

(vi) *The actual annual additional capital expenditure and O & M viz a viz envisaged additional capital expenditure and O & M of the subject assets after transfer, and impact thereof on capital cost and tariff.*

(c) The Respondents shall file their replies, by **16.6.2023**, after serving copy to the Petitioner, who may, file its rejoinder, if any, on or before **27.6.2023**. The parties shall complete their pleadings within the due dates mentioned and no extension of time shall be granted.

4. The Petition shall be listed for hearing on **7.7.2023**.

By order of the Commission

**Sd/-
(B. Sreekumar)
Joint Chief (Law)**

