

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**CORAM:**

1. **Shri Ashok Basu, Chairman**
2. **Shri K.N. Sinha, Member**
3. **Shri A.H. Jung, Member**

**Petition No.43/2005**

**In the matter of**

Seeking direction by CERC to the Madhya Pradesh State Electricity Board to pay the amount due to Maharashtra State Electricity Board.

**And in the matter of**

Maharashtra State Electricity Board, Mumbai ....**Petitioner**  
Vs

1. The Chairman, Madhya Pradesh State Electricity Board, Jabalpur
2. The Member Secretary, WREB, Mumbai
3. The General Manager, WRLDC, Mumbai
4. The Chairman, Gujarat Electricity Board, Vadodara
5. The Chairman, Chhatisgarh State Electricity Board, Raipur....**Respondents**

**The following were present**

1. Shri G.S. Limaye, MSEB
2. Shri G.S. Trimukhe, MSEB
3. Shri J.M. Bhagwat, MSEB
4. Shri Rohit Singh, Advocate, MPSEB
5. Shri A.P. Bhairve, MPSEB
6. Shri Chetan Jaiswal, MPSEB
7. Shri Dilip Singh, MPSEB
8. Shri A.Roy, GM, WRLDC
9. Shri R.K. Mediratta, CM, WRLDC
10. Ms. Suparna Srivastava, Advocate, CSEB
11. Shri S.N. Chauhan, Addl CE C(Comml), CSEB
12. Shri S. Sivan, Member Secretary, WREB
13. Shri S.G. Tempe, SE (Comml), WREB

**ORDER  
(DATE OF HEARING : 9.6.2005)**

The petitioner seeks a direction to the first respondent to pay an amount of Rs.114.83 crore due under the Frequency Link Energy scheme exchange for the period June 1992 to June 2002.

2. Learned Counsel for the first respondent submitted that the erstwhile State of Madhya Pradesh was reorganized and the present State of Madhya Pradesh and the State of Chattisgarh have come into existence on 1.12.2000. Therefore, according to the learned counsel, it is necessary to segregate the liability of each of these two states so far as the payment from June 1992 to November 2000 is concerned. A similar submission was made by the learned counsel for the fifth respondent. The learned counsel for the respondents sought time to file reply to the petition and place all necessary facts on record including the division of assets and liabilities between the two successor states. Let the reply be filed within 4 weeks with copy to the petitioner. The parties shall also address the question of jurisdiction of the Commission in regard to the issue raised in the present petition.

3. Meanwhile, the second respondent is directed to work out the liability of the first and fifth respondents individually, in respect of the dues relating to the period December 2000 to June 2002, the period after reorganization of the erstwhile State of Madhya Pradesh.

4. List this petition on 26<sup>th</sup> July 2005.

Sd/-  
**(A.H. JUNG)**  
**MEMBER**

Sd/-  
**(K.N. SINHA)**  
**MEMBER**

Sd/-  
**(ASHOK BASU)**  
**CHAIRMAN**

New Delhi dated the 14<sup>th</sup> June 2005