

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

1. Shri D.P. Sinha, Member
2. Shri G.S. Rajamani, Member
3. Shri K.N.Sinha, Member

Review Petition No.105/2000 in Enquiry No.1/2000 In the matter of

Enquiry into the Grid Disturbance on 25th July, 2000 in the Eastern Region.

And in the matter of

Review of Order dated 17-8-2000 in Enquiry No.1/2000. **And**

in the matter of

National Thermal Power Corporation Ltd.

Petitioner

VS

1. West Bengal State Electricity Board
2. Bihar State Electricity Board
3. Grid Corporation of Orissa Ltd.
4. Damodar Valley Corporation
5. Power Deptt., Govt, of Sikkim
6. Eastern Regional Electricity Board
7. Eastern Regional Load Dispatch Centre

Respondents

The following were present:

1. Shr | Shyam Wadhera, ED (Comm), NTPC
2. Shr | K.K. Garg, Dy. GM.NTPC M.S.
3. Shr | Chawla, Dy. GM NTPC Rajeshwar
4. Shr | Dutt, Dy. GM NTPC R. Mozumdar,
5. Shr | NTPC

6. Shri N.P. Singh, ED (OS), NTPC
7. Ms Alka Saigal, Mgr.(F), NTPC
8. Shri Md. S. Mondal, CE ,DVC
9. Shri T.K. Ghosh, DVC
10. Shri R.B. Bal, CE ,DVC
11. Shri R.N. Sharma, BSEB
12. Shri B.N. Roy, Sr. GM , GRIDCO.
13. Shri N.C. Sahu, GRIDCO
14. Shri N.C. Roy, CE, WBSEB
15. Shri S.K. Soonee, Dy. GM, ERLDC
16. Shri S.K. Sinha, Addl. GM, ERLDC

**ORDER (DATE OF HEARING 28-6-2001 AT
KOLKATA)**

The petitioner has filed a review petition No. 105/2000 on 30-10-2000, to review/modify, directions of the Commission contained in the order dated 17-8-2000 in Enquiry No. 1/2000 relating to grid disturbance in Eastern Region on 25-7-2000, as under:

- (a) Equitable / Merit Order Generation scheduling based on Actual Availability of Generators connected to the grid whether it is Central Sector, or State or IPP's;
- (b) Equitable backing down up to the minimum technical limits (i.e. 70%) for all generators connected to the grid irrespective of their ownership; and
- (c) Rotational shut down for all generators, irrespective of their ownership.

2. An enquiry was initiated by the Commission when an incident of collapse of Eastern and North Eastern Regional Grids on 25-7-2000 were brought to its notice. After hearing the parties the Commission had issued detailed direction in its order dated 17-8-2000.

3 We have heard all the parties present and note that the respondents in this petition, who are the constituents of Eastern Region, EREB and ERLDC are unanimous in opposing the reliefs prayed for by the petitioner. We take notice of the fact presented by Respondent No.7, ERLDC at the hearing that the directions contained in the order dated 17-8-2000, particularly those relating to scheduling, etc. were followed by the constituents of the region for nearly three weeks during May, 2001, resulting in considerable improvement in the grid parameters which is the principal aim of the direction contained in the order dated 17-8-2000. According to ERLDC the grid parameters again deteriorated as the directions were not followed any further by taking shelter under an order of Hon'ble High Court, Chennai. Thus the contention of the petitioner that the directions are difficult to comply or that when complied with, shall have no effect on the grid disturbance does not hold water and accordingly is negated.

4. It is not necessary for us to dwell into further details of the case. The merits of the order dated 17-8-2000 are established beyond any doubt by the fact presented by ERLDC. We observe that no discovery of new and important matter or evidence, which, after the exercise of due diligence was not within due knowledge of the aggrieved person, or such matter or evidence which could

not be produced by him at the time when the order was made, or any other mistake or error apparent on the face of record, was submitted which could warrant a modification/review as sought by the petitioner. We are satisfied that the reliefs sought by the petitioner are not based on well-established principles on which review of an order can be considered.

5. In fact, the present petition is more in the nature of an abuse of the process of law than remedy under law. In these circumstances, the review petition is dismissed at initial stage with no order as to costs.

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**(K.NrSlrffiaT
Member**

**(G.S. Rajamani)
Member**

**„(D-.PrSfnha)
Member**

New Delhi dated: 2nd August, 2001.