

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 160/MP/2013**

Subject : Petition under Sections 62, 79 91) (a), (b) and (f) and other applicable provisions of the Electricity Act, 2003 read with the Indian Electricity Grid Code notified by the Central Commission in respect of Scheduling and Despatch of electricity from the Indira Gandhi Super Thermal Power Project of the petitioner at Jhajjar.

Date of hearing : 17.9.2013

Coram : Shri V.S.Verma, Member  
Shri M. Deena Dayalan, Member

Petitioner : Aravali Power Company (P) Limited

Respondents : BSES Yamuna Power Limited and others

Parties present : Shri M.G.Ramachandran, Advocate for the petitioner  
Shri S.Sadashivan, APCPL  
Shri Rohit Chhabra, NTPC

**Record of Proceedings**

Learned counsel for the petitioner submitted as under:

(a) The petitioner Aravali Power Company (P) Limited has been supplying electricity generated at the Jhajjar generating station to the respondents, namely BSES Yamuna Power Limited (BYPL), and BSES Rajdhani Power Limited (BRPL) and others as per the provisions of scheduling and despatch applicable since the date of commercial operation on 5.3.2011.

(b) BYPL and BRPL are raising dispute on their liability to pay the amounts due to the petitioner for the energy injected in pursuance of the despatch instructions given by NRLDC on the purported ground that the BYPL and BRPL have expressed their unwillingness to take the power from the generating station

(c) Other beneficiaries of the generating station, namely, Haryana, Kerala, Andhra Pradesh etc have been duly complying with the payment obligations in

accordance with the scheduling done by NRLDC. However, BYPL and BRPL have been consistently failing to pay for the charges and have been raising extraneous issues from time to time to avoid payment of the amounts due to the petitioner.

(d) There is significant cash outflow to the petitioner every month for generation of electricity. The operation of the petitioner is being significantly affected on account of non-payment by BYPL and BRPL.

2. Learned counsel requested the Commission to direct BYPL and BRPL to pay the outstanding dues to the petitioner with delayed payment surcharge immediately to sustain the operation of the Jhajjar power station.

3. After hearing the counsel for the petitioner, the Commission directed to admit the petition and issue notice to the respondents.

4. Accordingly, the petitioner was directed to serve copy of the petition on the respondents immediately. The respondents were directed to file their replies to the petition on affidavit by 25.9.2013, with an advance copy to the petitioner. The petitioner may file its rejoinder, if any, by 9.10.2013

5. The petition shall be listed for hearing on 15.10.2013.

By order of the Commission

Sd/-  
(T. Rout)  
Chief (Law)