

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 280/MP/2019

- Subject** : Reference from the Hon'ble High Court of Calcutta under Article 226 of Constitution of India in Writ Petition No. 17044 of 2015 Eastern Coalfields Limited & Anr. Vs. Eastern Regional Power Committee and Others.
- Date of Hearing** : 25.2.2020
- Coram** : Shri P. K. Pujari, Chairperson
Shri I. S. Jha, Member
- Petitioner** : Eastern Coalfields Limited and Others
- Respondents** : Eastern Regional Power Committee and Others
- Parties present** : Shri Kaustubh Shukla, Advocate, ECL
Shri A. Verma, Advocate, ECL
Shri G. Sengupta, ECL
Shri S. Jana, ECL
Ms. Suparna Srivastava, Advocate, PGCIL
Ms. Ritu Apurva, Advocate, NTPC
Ms. Swapna Sheshadri, Advocate, NTPC
Shri S. Singh, NTPC

Record of Proceedings

Learned counsel for the Petitioner, referring to the judgement of the Hon'ble High Court of Calcutta dated 23.9.2016 in W.P. No. 17044 of 2015, submitted that the Court recognized that ECL is entitled for a return for building the line (Farakka-Lalmatia Transmission Line) and special regulated rate of tariff for electricity supplied to the Petitioner. He also submitted that according to the said order, the Petitioner cannot transfer its valuable asset without any consideration.

2. Learned counsel for the Petitioner submitted that in terms of order dated 10.6.2019, the Commission is required to consider all aspects of the disputes and decide on them and accordingly the claims made by the Petitioner in the instant petition against JUSNL, JBVNL and NTPC should also be considered and decided by the Commission. He further submitted that the Petitioner never received any benefits as agreed between the Petitioner and JUSNL, JBVNL and NTPC.



3. Learned counsel for NTPC submitted that it does not have the expertise to maintain the instant transmission lines and it is interested in handing over the maintenance of FLTS.
4. After hearing the parties, the Commission reserved the order in the matter.

By order of the Commission

Sd/-
(V. Sreenivas)
Dy. Chief (Law)

