

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 502/GT/2020**

**Coram:**

**Shri P.K Pujari, Chairperson  
Shri I.S Jha, Member  
Shri Arun Goyal, Member  
Shri Pravas Kumar Singh, Member**

**Date of Order: 17<sup>th</sup> June, 2021**

**In the matter of**

Petition for approval of tariff of Adhunik Power and Natural Resources Limited Coal based Thermal Power Project (540 MW) for the period from 1.4.2019 to 31.3.2024.

**And**

**In the matter of**

Adhunik Power and Natural Resources Limited  
5<sup>th</sup> floor, Lansdowne Towers, 2/1A, Sarat Bose Road,  
Kolkata-700020

**.... Petitioner**

**Vs**

1. Jharkhand Urja Vikas Nigam Limited,  
Engineering Building, HEC, Dhurwa,  
Ranchi-834004, Jharkhand

2. Jharkhand Bijli Vitran Nigam Limited,  
Engineering Building, HEC, Dhurwa,  
Ranchi-834004, Jharkhand

**.... Respondents**

**ORDER**

The Petitioner, Adhunik Power and Natural Resources Limited (APNRL) entered into a PPA on 28.9.2012 with Jharkhand State Electricity Board (presently Jharkhand Urja Vikas Nigam Limited or 'JUVNL'), the Respondent No.1, for supplying contracted capacity of 122.85 MW (25% of 491.4 MW, i.e., gross capacity of 2 units of 270 MW each, totalling 540 MW, less normative auxiliary consumption)



from Stage-1 of its generating station on a long term basis. As per the PPA, out of total contracted capacity of 122.85 MW, 63.882 MW i.e., 13% of net capacity of Stage-1 shall be supplied to JUVNL, at the tariff approved by Jharkhand State Electricity Regulatory Commission (JSERC) and the balance 58.968 MW i.e., 12% of net capacity of Stage-1 shall be supplied at variable cost only. The Respondent No. 2, JBVNL is the confirming party under the said PPA dated 28.9.2012. The Petitioner has also entered into a supplementary PPA on 6.11.2017 for supply of additional 66 MW power to JBVNL. Apart from this, the Petitioner is also supplying 100 MW each to West Bengal State Electricity Distribution Company Limited and Tamil Nadu Generation and Distribution Corporation Limited through PTC, and the remaining is merchant power.

2. This Commission, in its order dated 6.6.2018 in Petition No.305/MP/2015 (APNRL v WBSEDCL & ors.) while deciding the 'maintainability' of the said petition held as under:

*"16 In view of the above discussion, we hold that the Petitioner has a composite scheme for generation and supply of electricity in more than one State and this Commission has the exclusive jurisdiction under Section 79(1)(b) to regulate the tariff of the Petitioner including adjudication of disputes relating to tariff. Therefore, the Petitioner shall also be required to approach this Commission for supply of power to JBVNL."*

3. In compliance to the above direction, APNRL has filed this petition (Petition No.502/GT/2020) under Section 79(1)(b) of the Electricity Act, 2003 (in short, 'the Act') for determination of tariff for its 540 MW coal based thermal power project, situated in the State of Jharkhand, for the period from 1.4.2019 to 31.3.2024, in terms of the provisions of the Central Electricity Regulatory Commission (Terms and Conditions of Tariff) Regulations, 2019.

4. During the pendency of this petition, APNRL vide its letter dated 12.4.2021 has informed that the Petitioner and the Respondent No.2 (JBVNL) have decided to file a



petition under Section 64(5) of the Act, before JSERC for determination of tariff in respect of supply of the contracted capacity of 122.85 MW power to the Respondents, as per PPA dated 28.9.2012. It has also stated that the Respondent JBVNL vide its letter dated 6.4.2021, has given its consent to APNRL for filing petitions before the JSERC. A copy of the letter dated 6.4.2021 of JBVNL has been enclosed.

5. Accordingly, the Petitioner vide its letter dated 12.4.2021 has sought the permission of the Commission to withdraw the instant Petition No. 502/GT/2020. The Petitioner has also prayed that the filing fee of Rs.23,76,000/- deposited for filing the tariff petition may be refunded/adjusted in the interest of justice.

6. In view of the above submissions, the Petitioner is permitted to withdraw this petition. The filing fees deposited by the Petitioner shall be adjusted against any other petition if filed by the Petitioner before this Commission, in future.

7. Petition No.502/GT/2020 is disposed of as withdrawn in terms of the above.

*Sd/-*  
**(Pravas Kumar Singh)**  
**Member**

*Sd/-*  
**(Arun Goyal)**  
**Member**

*Sd/-*  
**(I.S. Jha)**  
**Member**

*Sd/-*  
**(P.K.Pujari)**  
**Chairperson**

