

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 172/MP/2022**

Subject : Petition under Section 79(1) (b) and Section 79(1) (f) of Electricity Act, 2003 read with Article 22.4 of Pilot Agreement for Procurement of Power dated 26.10.2018 executed between IL&FS Tamil Nadu Power Company Ltd. and PTC India Ltd. for recovery of (i) outstanding Monthly Invoices (ii) Delayed Payment Interest (iii) compensation for under-scheduling (iv) charges for minimum guaranteed off-take of 55% against the deemed full availability and (v) O&M Expenses and interest on debt.

Date of Hearing : 11.10.2022

Coram : Shri Arun Goyal, Member  
Shri P. K. Singh, Member

Petitioner : IL&FS Tamil Nadu Power Company Ltd.

Respondents : PTC India Limited and 1 Ors.

Parties Present : Shri Biju Mattam, Advocate for the Petitioner  
Ms. Ankit Bafna, Advocate for the Petitioner

**Record of Proceedings**

The learned counsel for the Petitioner submitted that the present Petition has been filed *inter-alia* seeking direction to the Respondent, PTC India Limited to make payment towards outstanding monthly invoices and delayed payment interest.

2. In response to the query of the Commission as to whether the Respondents have complied with the provisions of the Electricity (Late Payment Surcharge and related matters) Rules, 2022 ('LPSC Rules') notified by the Ministry of Power, Government of India on 3.6.2022, the learned counsel for the Petitioner submitted that the Respondents have proposed to pay only Rs. 431 crore out of Rs. 1600 crore under LPSC Rules mechanism. The learned counsel for the Petitioner sought permission to amend the Petition which was allowed by the Commission. Accordingly, the matter was adjourned.

3. The Petition shall be listed for hearing, after filing of amended Petition by the Petitioner.

**By order of the Commission**  
**SD/-**  
**(T.D. Pant)**  
**Joint Chief (Law)**