

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.186/MP/2021**

Subject : Petition under Section 79(1)(c) read with Sections 142 and 146 of the Electricity Act, 2003 regarding non-compliance of the order dated 8.6.2013 in Petition No. 245/MP/2012 passed by the Commission and for consequential directions.

Date of Hearing : **28.6.2023**

Coram : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member

Petitioner : Dakshin Gujarat Vij Company Limited (DGVCL)

Respondents : Arcelor Mittal Nippon Steel India Limited (AMNSIL) and 4 Ors.

Parties Present : Shri M. G. Ramachandran, Sr. Advocate, DGVCL  
Ms. Ruby Singh Ahuja, Advocate, AMNSIL  
Shri Vishal, Advocate, AMNSIL  
Ms. Kritika Sachdeva, Advocate, AMNSIL  
Shri Varun Khanna, Advocate, AMNSIL  
Shri Ranjeet Singh, CTUIL  
Shri Lashit Sharma, CTUIL

**Record of Proceedings**

At the outset, learned counsel for the Respondent No.1, Arcelor Mittal Nippon Steel India Limited (AMNSIL) sought liberty to file a reply in the matter. Learned counsel also submitted that the issue regarding the applicability of Cross Subsidy Surcharge (CSS) on the Respondent is pending before the Gujarat Electricity Regulatory Commission (GERC) wherein the matter is now reserved for order. Learned counsel submitted that as per the order dated 8.6.2013 in Petition No. 245/MP/2012, the Respondent was required to pay the CSS, if any, applicable to it.

2. Learned senior counsel for the Petitioner pointed out that the objections of the Respondent regarding the maintainability of the present Petition have already been rejected by the Commission by order dated 27.6.2022 and the Respondents were also directed to file their reply on merits within four weeks thereafter. Learned senior counsel further recapitulated the background of the matter and submitted that the scope of the present Petition is limited to the non-compliance of the Commission's order dated 8.6.2013 in Petition No. 245/MP/2012 whereby the Commission permitted the Respondent, AMNSIL to connect with an inter-State network considering, *inter alia*, the specific undertaking by the Respondent to make payment of CSS to the Petitioner.

3. Considering the request of the learned counsel for the Respondent, AMNSIL the Commission permitted one last opportunity for the Respondent to file its reply, if any, within two weeks with a copy to the Petitioner, who may file its rejoinder within three thereafter. The Commission also directed the respondent to file on affidavit copy of the petition filed before the GERC regarding the applicability of Cross Subsidy Surcharge (CSS) as well as any interim orders, if any, passed in the matter by the GERC.

4. The Commission directed the Petitioner to file the following information on affidavit within two weeks:-

(a) Whether the Petitioner has taken up the issue of non-payment of cross subsidy surcharge by Arcelor Mittal Nippon Steel India Limited under the LPS Rules.

(b) The period up to which the Respondent has made the payment of CSS to the Petitioner and outstanding amount as on date.

5. The Petition shall be listed for hearing on 23.08.2023.

**By order of the Commission**

**Sd/-  
(T.D. Pant)  
Joint Chief (Law)**