

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 363/MP/2022**

**Subject** : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 111, 112 and 119 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for enforcement / execution of the Tariff Order dated 28.11.2019 in Petition No. 137/TT/2018 directing bilateral billing and payment of Transmission Charges by Respondent No. 1 to the Petitioner on account of delay in commissioning of its downstream transmission networks

**Petition No. 368/MP/2022**

**Subject** : Petition under Section 79 of the Electricity Act, 2003 read with Regulation 111, 112 and 119 of Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999 for enforcement / execution of the Tariff Order dated 21.11.2019 passed by the Hon'ble Commission in Petition No. 105/TT/2018 directing bilateral billing and payment of Transmission Charges by Respondent No. 1 to the Petitioner on account of delay in commissioning of its downstream transmission network

**Date of Hearing** : 21.7.2023

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

**Petitioner** : Power Grid Corporation of India Limited (PGCIL)

**Respondents** : Jharkhand Urja Sancharan Nigam Limited (JUSNL)  
and Anr.

**Parties Present** : Shri Shubham Arya, Advocate, PGCIL  
Ms. Reeha Singh, Advocate, PGCIL  
Shri Rahul Chouhan, Advocate, JUSNL  
Shri Bipin Bihari Rath, PGCIL  
Ms. Supriya Singh, PGCIL  
Ms. Priyansi Jadiya, CTUIL



## Record of Proceedings

Since in both petitions similar issues have been raised between the same parties, the matters were taken up together for hearing.

2. Learned counsel for the Petitioner submitted that Jharkhand Urja Sancharan Nigam Limited (JUSNL) has not filed its reply in the present petitions even though the notice was served. The learned counsel further submitted that even after a lapse of more than 3 years, JUSNL has not paid the bilateral invoices raised on JUSNL by CTUIL towards the transmission charges as per the directions of the Commission in its tariff order dated 28.11.2019 in Petition No. 137/TT/2018 and order dated 21.11.2019 in Petition No. 105/TT/2018. During this period, several letters and reminders have also been sent to the JUSNL, but of no avail. He prayed to invoke the Commission's power to enforce its own orders under Regulation 119 of the Central Electricity Regulatory Commission (Conduct of Business) Regulations, 1999, to ensure the effective implementation of the tariff orders.

3. In response to a query of the Commission as to why the payment has not been made by JUSNL, learned counsel for JUSNL submitted that Appeals have been filed against the Commission's order before the APTEL and JUSNL has recently filed IAs No. 1637/2023 and 1638/2023 before The APTEL, seeking a stay of the above said orders of the Commission. He further informed the commission that the said IAs are listed possibly for final hearing on 24.7.2023 and therefore sought a brief deferment of the matter by which time the IAs may be decided. The learned counsel for the Petitioner did not oppose the same and prayed that JUSNL be directed to make at least part payment of the pending amount till that time.

4. In response to another query, learned counsel for JUSNL submitted that out of the 4 (four) assets, 3 (three) have already been put into commercial operation.

5. The Commission adjourned the matter and directed JUSNL to file its reply in both petitions on an affidavit by 14.8.2023 with an advance copy to the Petitioner and the Petitioner to file its rejoinder, if any, by 31.8.2023. The Commission further directed the parties to strictly comply with the above directions within the specified timeline.

6. Both the matters will be listed for further hearing on 22.9.2023.

**By order of the Commission**

sd/-  
(V. Sreenivas)  
Joint Chief (Law)

