

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 378/MP/2022

Subject : Petition under Section 79 (f) & 94 of the Electricity Act, 2003 read with Regulations 74, 82, 111 & 112 of CERC (Conduct of Business) Regulations, 1999 for considering unit of water utilization for irrigation 'Q' from BM³ to 'MAFt' in the tariff orders of Indira Sagar Hydroelectric Project from time to time, in accordance with the corrigendum against the Techno Economic Clearance to Revised Cost Estimate issued by CEA, New Delhi on 29.3.2022.

Petition No. 220/MP/2022

Subject : Petition under Section 79(1) & Section 94 of the Electricity Act, 2003 read with Regulations 74, 82, 111 & 112 of the CERC (Conduct of Business) Regulations, 1999 for considering unit and corresponding numerical value of water utilization for irrigation 'Q' from 'BM³' to 'MAFt' and Reservoir level of Omkareshwar Hydroelectric Project at EL 192.97 M achieved on 4th October, 2017 & at EL 196.59 MW achieved on 5th November, 2019 in the tariff orders issued by the Commission from time to time.

Petitioner : MPPMCL

Respondents : NHDC and anr.

Date of Hearing: **11.4.2023**

Coram : Shri Jishnu Barua, Chairperson
Shri I.S Jha, Member
Shri Arun Goyal, Member
Shri Pravas Kumar Singh, Member

Parties Present: Shri Aashish Anand Bernard, Advocate, MPPMCL
Shri Aditya Singh, Advocate, MPPMCL
Ms. Suparna Srivastava, Advocate, NHDC
Shri Tushar Mathur, Advocate, NHDC
Ms. Aastha Jain, Advocate, NHDC
Shri N.K Chellani, NHDC
Shri D.K Kurvey, NHDC

Record of Proceedings

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During the hearing, the learned counsel for the Petitioner submitted that the present petition has been filed pursuant to the corrigendum issued by CEA to the TEC of the Indira Sagar Hydroelectric Project of the Respondent, stating that 'BMQ' (Billion Cubic Meter) may be read as 'MAFt' (Million Acre Feet) on 29.3.2022. He also pointed out that the present petition is similar to Petition No.220MP/2022 filed by the Petitioner,



in respect of the Omkareshwar project of the Respondent, which has already been admitted and listed for hearing today. He accordingly prayed that this Petition may be admitted and heard along with Petition No.220/MP/2022.

2. The learned counsel for the Respondent NHDC submitted that the impact of CEA corrigendum dated 29.3.2022, may not be applied retrospectively, as it would amount to unsettling the settled issues over a period of time. She however prayed for time to file reply in the matter.

3. The Commission after hearing the parties, directed as under:

(a) Admit, issue notice.

(b) The Respondents shall file their replies, by **4.5.2023**, after serving copy to the Petitioner, who may, file its rejoinder, if any, on or before **19.5.2023**. The parties shall complete their pleadings within the due dates mentioned and no extension of time shall be granted.

Petition No. 220/MP/2022

4. At the outset, the learned counsel for the Petitioner sought three weeks' time to file its rejoinder to the reply filed by the Respondent, NHDC. The Commission accepted the request of the learned counsel and adjourned the hearing of the petition. Accordingly, the Petitioner is permitted to file its rejoinder, by **4.5.2023**.

5. These Petitions shall be listed for hearing on **13.6.2023**.

By order of the Commission

**Sd/-
(B. Sreekumar)
Joint Chief (Law)**

