

**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 : **6.3.2024**

Coram : Shri Jishnu Barua, Chairperson
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. Ranjitha Ramachandran, Advocate, DGVCL
Ms. Srishti Khindaria, Advocate, DGVCL
Ms. Swapna Seshadri, Advocate, DGVCL
Shri Aneesh Bajaj, Advocate, DGVCL
Dr. A. M. Singhvi, Sr. Advocate, AMNSIL
Shri Dushyant Manocha, Advocate, AMNSIL
Shri Siddharth Sharma, CTUIL
Shri Gajendra Singh, WRLDC
Shri Alok Mishra, WRLDC

Record of Proceedings

During the course of the hearing, the learned senior counsel for Respondent No.1, Arcelor Mittal Nippon Steel India Limited (AMNSIL), submitted that Respondent No.1 is ready to pay the 10% of the principal outstanding amount within 30 days without prejudice the rights and contentions of the parties and subject to the outcome of the review petitions pending before the GERC. Learned senior counsel further submitted that since review petitions are pending/ sub-judice before the GERC, the payment of 10% may be treated as an ad hoc payment. He further added that for the payment of the arrears pertaining to CSS and the Late Payment Surcharge (LPS) amount, the parties may be directed to explore an amicable settlement for the speedy settlement of the outstanding amount.

2. Learned senior counsel for the Petitioner submitted that the outstanding principal amount is Rs. 1,294.44 crore and the ad hoc amount to be paid by Respondent No. 1, according to the Petitioner, is to be adjusted first towards the LPS. The Petitioner, is however, willing to hold discussion for amicable settlement on all the outstanding issues based on the respective proposals placed before the Commission.

3. After hearing the learned senior counsels for the parties, the Commission directed Respondent No.1 to pay 10% of the principal outstanding amount of Rs. 1,294.44 crore on an ad hoc basis on or before 10.4.2024. The Commission further permitted the parties to explore the amicable settlement of all outstanding issues for the payment of the arrears pertaining to CSS and to place the outcome of the discussions before the next date of hearing.

4. The Petition shall be listed for the hearing on **1.5.2024**.

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