

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 20/MP/2024**

Subject : Petition under Section 142 of the Electricity Act, 2003 read with Regulations 111, 113, and 119 of the Conduct of Business Regulations, 1999 for the execution of order dated 1.11.2019 read with order dated 27.1.2022 and directions and initiation of appropriate action against the Respondent for non-compliance of the directions issued under order dated 1.11.2019 read with order dated 27.1.2022 in Petition No. 298/MP/2018.

Petitioner : DVC

Respondent : WBSEDCL

Date of Hearing : **19.4.2024**

Coram : Shri Jishnu Barua, Chairperson  
Shri Arun Goyal, Member  
Shri Pravas Kumar Singh, Member

Parties Present : Ms. Anushree Bardhan, Advocate, DVC  
Ms. Surbhi Kapoor, Advocate, DVC  
Ms. Shirsas Saraswati, Advocate, DVC  
Shri Amit Kapur, Advocate, WBSEDCL  
Shri Akshat Jain, Advocate, WBSEDCL  
Shri Rishabh B., Advocate, WBSEDCL

**Record of Proceedings**

During the hearing on 'admission,' the learned counsel for the Petitioner submitted that the present petition had been filed for execution of the Commission's order dated 1.11.2019 read with the order dated 27.1.2022 in Petition No. 298/MP/2018. She further submitted that since the Respondent has not made any payment till date, the petition may be admitted.

2. On a specific query by the Commission, with regard to the delay in filing the execution petition, the learned counsel for the Petitioner pointed out that the present petition was filed in December, 2023 pursuant to the Commission's order dated 27.1.2022 in Petition No. 298/MP/2018.

3. The learned counsel for the Respondent submitted that it had filed an appeal (Appeal No. 265/2023), before the Appellate Tribunal for Electricity (APTEL), challenging the Commission's order dated 1.11.2019 read with order dated 27.1.2022 in Petition No. 298/MP/2018 and the same is pending. The learned counsel while stating that no interim order of stay has been granted by APTEL, prayed for some time to file its reply in the matter.



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

(a) Admit and Issue notice to Respondent;

(b) The Petitioner to file the following additional information on or before **24.5.2024** after serving a copy to the Respondent:

(c) *The detailed breakdown of the allocation of power to the various beneficiaries during the period from 20.7.2014 to 13.5.2015.*

(d) *The month-wise amount raised in the original bills and the revision of the amount subsequent to the order dated 20.7.2023 in Petition no. 564/GT/2020, for the period between 20.7.2014 to 13.5.2015.*

(e) *Month-wise gain adjusted in bills raised against the respondent along with the methodology followed in such adjustment from 20.7.2014 to 13.5.2015.*

(f) *The month-wise (from 20.7.2014 to 13.5.2015) total availability declared for KTPS 1 & 2, as per the following format:*

Month	Installed Capacity	DC	Availability associated with Respondent . WBSEDCL	Availability associated with other Long-term Beneficiaries and MTOA Beneficiaries	Availability declared for Short-term beneficiaries	Total Energy scheduled by RLDC	Actual Energy Generated	Actual Energy supplied to long-term and medium-term beneficiaries	Actual Supplied Energy		Money received for energy sold in exchange
									DAM + TAM	Bilateral	
20.07.2014 – 31.07.2017											
01.08.2014 – 31.08.2014											
....											
01.05.2015 – 13.05.2015											

(g) *The month-wise (from 20.7.2014 to 13.5.2015), information in respect of the various generating stations i.e. MTPS – 1, 2 & 3; MTPS – 4; MTPS – 5 & 6; MTPS – 7 & 8; DTPS - 3 & 4; CTPS - 1, 2 & 3; KTPS – 1 & 2; CTPS – 7 & 8; DTPS – 1 & 2; BTPS – 1, 2 & 3, Tilaya, Panchet and Maithon:*



Month	Name of Generating Station	Installed Capacity (MW)	DC (MW)	Scheduled Given by long term and medium-term beneficiaries (MUs)	Actual Energy Generated (MUs)	Actual Energy supplied to long term and medium-term beneficiaries (MUs)	Energy Supplied to DVC Pool (MUs)	Energy utilized in DVC Comm and area (MUs)	Energy sold in Short Term Market / exchange (MUs)	Revenue realized on sale of energy in short term / market (Rs.)
20.07.2014 – 31.07.2017										
01.08.2014 – 31.08.2014										
....										
01.05.2015 – 13.05.2015										

5. The Respondent is permitted to file its reply on or before **21.6.2024**, after serving a copy on the Petitioner, who, may file its rejoinder, if any, by **5.7.2024**.

6. The Petition shall be listed for hearing on **12.7.2024**.

By order of the Commission

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

