

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No. 340/MP/2022

Subject : Petition under Section 79(1) (b) and Section 79(1) (f) of Electricity Act, 2003 read with Article 22.4 of Pilot Agreement for Procurement of Power dated 26.10.2018 executed between IL&FS Tamil Nadu Power Company Ltd. and PTC India Limited for recovery of (i) outstanding Monthly Invoices (ii) Delayed Payment Interest (iii) compensation for under-scheduling (iv) charges for minimum guaranteed off-take of 55% against the deemed full availability and (v) O&M Expenses and interest on debt.

Petitioner : IL & FS Tamil Nadu Power Company Limited (ITNPCL)

Respondent : PTC India Limited (PTCIL) and Anr.

Petition No. 341/MP/2022

Subject : Petition under Section 79, including 79(1)(b), 79 (1)(f) and 79 (1)(k) of the Electricity Act 2003, seeking payment of the outstanding amount in terms of the Power Purchase Agreement dated 12.12.2013 executed between the Petitioner and the Respondent, TANGEDCO.

Petitioner : IL & FS Tamil Nadu Power Company Limited

Respondent : Tamil Nadu Generation and Distribution Corp. Limited (TANGEDCO)

Date of Hearing : **19.5.2026**

Coram : Shri Jishnu Barua, Chairperson
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Sanjay Sen, Sr. Advocate, ITNPCL
Shri Hemant Singh, Advocate, ITNPCL
Ms. Lavanya Panwar, Advocate, ITNPCL
Ms. Pragya Gupta, Advocate, ITNPCL
Ms. Supriya Rastogi, Advocate, ITNPCL
Ms. Anusha Nagarajan, Advocate, TANGEDCO
Ms. Aakanksha Bhola, Advocate, TANGEDCO
Ms. Deepti Dash, Advocate, PTC

Record of Proceedings

Learned senior counsel for the Petitioners submitted that the present Petitions have been filed, *inter alia*, seeking appropriate directions upon the Respondents to release the outstanding dues to the Petitioner. The learned senior counsel submitted that Petition No. 340/MP/2022 concerns outstanding dues under the PAPP dated 26.10.2018 executed between the Petitioner and PTCIL, whereas Petition No.



341/MP/2022 concerns outstanding dues under the PPA dated 12.12.2013 executed between the Petitioner and TANGEDCO. The learned senior counsel further submitted that the Respondent, PTC, had also filed Petition No. 234/MP/2022 before this Commission in relation to disputes that arose between PTC and TANGEDCO under PPSA dated 27.10.2018, wherein the Commission *vide* order dated 5.1.2024 allowed the said Petition, directing TANGEDCO to make the payment of the outstanding amount, and, as per his instructions, the said order has also attained finality. The learned senior counsel submitted that while the Petitioner maintains that the liability of PTC to make the payment under the PAPP is independent of the receipt of payment under the PPSA, the Petitioner has received a certain amount from PTC pursuant to the order dated 5.1.2024; accordingly, the outstanding dues need to be reconciled. Further, some of the aspects involved in Petition No. 341/MP/2022 have also been addressed by the Commission's order dated 5.1.2024, and the Petitioner would also be required to update its outstanding dues claimed therein. Accordingly, the learned senior counsel sought two weeks' time to file an additional affidavit placing on record the subsequent development(s) and the updated outstanding dues.

2. The learned counsel for the Respondent, TANGEDCO, submitted that PTC had already raised its claims against TANGEDCO in Petition No.234/MP/2022, and the order passed by the Commission dated 5.1.2024 is under challenge before the APTEL, albeit a stay of the order was not granted. The learned counsel further submitted that no relief has been sought against TANGEDCO in Petition No. 340/MP/2022, and hence, it cannot be held liable or be bound by any directions in these proceedings. The learned counsel also submitted that insofar as the claims made by the Petitioner in Petition No.341/MP/2022 are concerned, the Commission has disallowed similar claims in the past, and the Respondent may also be permitted to file its affidavit/note of arguments in the matters.

3. Whereas, the learned counsel for Respondent No.1/PTC prayed for an adjournment due to the unavailability of the arguing counsel.

4. Considering the submissions of the learned senior counsel and learned counsels for the parties, the Commission permitted the Petitioner to file its additional affidavit(s) in the matters within three weeks with a copy to the Respondents, who may file their responses/note of arguments, if any, within three weeks thereafter. The Petitioner was also permitted to file its rejoinder(s)/note of arguments, if any, within three weeks thereafter.

5. The matters will be listed for hearing on **13.8.2026**.

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