

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.617/MP/2020

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 inter alia seeking recovery of compensation illegally and wrongfully deducted by PTC India Limited from the Petitioner qua alleged non-supply of power from the period commencing from February, 2012 to May, 2012.

Petitioner : Bharat Aluminium Company Limited (BALCO)

Respondents : PTC India Limited (PTCIL) and Ors.

Date of Hearing : **18.3.2026**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Hemant Singh, Advocate, BALCO
Ms. Supriya Agarwal, Advocate, BALCO
Shri Harshit Singh, Advocate, BALCO
Shri Devansh Pundir, Advocate, BALCO
Ms. Eksha Kashyap, Advocate, AP Discoms
Shri D Abhinav Rao, Advocate, Telangana Discoms
Shri Abhishek Das, Advocate, Telangana Discoms

Record of Proceedings

At the outset, the learned counsel for the Petitioner sought liberty to file a response to the affidavits filed by the Respondents on the aspect of arbitrability of the disputes.

2. Learned counsel for the Respondents, AP Discoms, submitted that the Respondents, *vide* affidavit dated 12.2.2025, have already stated that the dispute in this case falls within the class of tariff-related disputes which cannot be referred to the arbitration. The learned counsel also pointed out that even the Petitioner, *vide* affidavit dated 15.9.2025, has indicated that it has no issue as to whether this Commission adjudicates the dispute by invoking its adjudicatory powers under Section 79(1)(f) of the Act or refers the same to the arbitration.

3. Learned counsel for the Respondents, Telangana Discoms, submitted that the Respondents have also, in their affidavit dated 16.3.2026, submitted that the dispute in this case is not the fit case for reference to arbitration, and the Commission may decide the issue in terms of the provisions of the Act. The learned counsel also sought liberty to file a reply on the merits.

4. Considering the above, the Commission permitted the Petitioner to file its response to the additional affidavits filed by the Respondents on the aspect of arbitrability of the dispute within three weeks. The Commission also permitted the Respondents, Telangana Discoms, to file their reply within four weeks, with a copy to the Petitioner, who may file its rejoinder, if any, within three weeks thereafter.

5. The Petition will be listed for hearing on **16.6.2026**.

By order of the Commission

Sd/-

(T.D. Pant)

Joint Chief (Law)