

KERALA STATE ELECTRICITY REGULATORY COMMISSION

THIRUVANANTHAPURAM

Present: Shri. T.K. Jose, Chairman

Adv. A.J. Wilson, Member (Law)

In the matter of : Compliance of the Order dated 10.02.2023 in Civil Appeal No (s). 41/2021 filed the Kerala State Electricity Regulatory Commission before the Hon'ble Supreme Court - reg

Parties in (CA No.41/2021) :

- 1. JINDAL INDIA THERMAL POWER LTD,**
PLOT NO.2, POCKET C, 2ND FLOOR,
NELSON MANDELA ROAD, VASANTKUNJ,
NEW DELHI-110070
- 2. KERALA STATE ELECTRICITY BOARD LIMITED,**
Represented its **CHAIRMAN AND MANAGING DIRECTOR,** VYDUTHI BHAVANAM,
THIRUVANANTHAPURAM-695004
- 3. SECRETARY, DEPARTMENT OF POWER,**
GOVERNMENT OF KERALA, 2ND Floor, NORTH BLOCK, SECRETARIAT, THIRUVANANTHAPURAM

Other Respondents in petition OP No.5/2021 :

- 4. Jhabua Power Limited**
Unit No.307, Third Floor, ABW Tower,
M.G Road, Gurugram, Haryana- 122 002
- 5. Jindal Power Limited,** Jindal Centre,
12, Bhikaji Cama Place, New Delhi 110 066

Parties Represented by

- 1. Jayaraj, Chief Engineer, Commercial & Tariff, KSEB Ltd**
- 2. Rajan .M. P. Dy, Chief Engineer, KSEB Ltd**
- 3. Rajesh, Deputy Chief Engineer, Commercial, KSEB Ltd**
- 5. Adv. Buddy Ranganadhan , Adv for Petitioner**

6. Adv. Matrugupta Mishra, Adv for Petitioner

7. Pulak Srivastava, General Manager, JITPL

Daily Order dated 20.02.2023

1. The Hon'ble Supreme Court vide its Order dated 10.02.2023 has disposed the CA No (s). 41/2021 filed by this Hon'ble Commission with the following directions:

In the given facts and circumstances, we consider appropriate to observe that the mechanism, which is in place after passing of the interim order of this Court dated 27.01.2021, shall continue and the electricity may be supplied by the respondents herein in terms of Power Supply Agreement on the same terms and conditions, which may be subject of the outcome of the pending O.A. No. 5 of 2021.

We expect that the Commission will take a call and decide O.A. No. 5 of 2021 as expeditiously as possible but in no case later than three months and both the parties shall cooperate in getting expeditious disposal of the pending O.A.

We further make it clear that the present interim arrangement shall continue up to the date of the disposal of O.A. No. 5 of 2021 and for a further period of two weeks thereafter.

We direct the parties to appear before the Commission on 20.02.2023 at 10.30 a.m.

2. In compliance of the Order dated 10.02.2023 of the Hon'ble Supreme Court, the Commission issued a "Schedule of appearance" dated 17.02.2023 and published the same, intimating the date and time of appearance of parties as 20.02.2023 at 10.30 AM and published in the Official website. M/s JITPL had requested for virtual hearing and it was allowed. Accordingly, a hearing was conducted by e-hearing mode on 20.02.2023 at 10.30 a.m.
3. During the hearing, the Commission explained that the urgent hearing of parties was arranged for the strict compliance of the Order dated 10.02.2023 issued by the Hon'ble Supreme Court in Civil Appeal No (s). 41/2021.

4. Shri. Rajan. M.P, Deputy Chief Engineer who represented the KSEB Ltd mentioned the events leading to the Order dated 10.02.2023 issued by the Hon'ble Supreme Court in Civil Appeal No (s). 41/2021.
5. The learned Counsels representing the Jindal India Thermal Power Ltd requested to grant two weeks' time to file necessary documents for detailed hearing.
6. After listening to KSEBL and JITPL, the Commission issued the following directions:

- 1. All the parties are directed to file documents, objections and statements if any on or before 22.03.2023, and to give copies to the other parties. No extension of time will be allowed for the same.**
- 2. Notice shall be issued to the petitioner, respondents and additional respondents in IA - in Petition -OP No.5/2021.**
- 3. The date and time for the detailed public hearing in OP No.5/2021 shall be fixed by the Commission and shall intimate the parties.**

Sd/-

Adv. A.J. Wilson
Member (Law)

Sd/-

T. K. Jose
Chairman

Approved for issue

Sd/-

C.R. Satheesh Chandran
Secretary