

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

WEST BENGAL

Petition No: OA – 462/ 23 – 24

Quorum:

Dr. Mallela Venkateswara Rao, Chairperson
Shri Pulak Kumar Tewari, Member

In the matter of:

petition for seeking immediate intervention of the Commission under section 86(1)(f) & 86(1)(b) of the Electricity Act 2003 read with Regulation 3.10 of the WBERC (Conduct of Business) Regulations, 2013 and Regulation 5.15.2 of the WBERC (Licensing and Conditions of License) Regulations, 2013

And

In the matter of:

India Power Corporation Limited (IPCL)
Plot No. X1- 2 & 3, Block – EP, Sector-V,
Saltlake City, Kolkata-700091.....(Petitioner)

And

Damodar Valley Corporation (DVC)
DVC Towers, CIT Road,
Kolkata-700064..... (Respondent)

CASE IN BRIEF

1.0 IPCL has submitted an application on 21.09.2023 seeking immediate intervention of the Commission under section 86(1)(f) & 86(1)(b) of the Electricity Act 2003 read with Regulation 3.10 of the WBERC (Conduct of Business) Regulations, 2013 and Regulation 5.15.2 of the WBERC (Licensing and Conditions of License) Regulations, 2013 with the following prayers :-

- a. Admission of the petition.
- b. Pass an interim direction to the Respondent to continue the power supply in all the off-take points of IPCL and not to take any coercive action till the disposal of this petition.
- c. Pass an interim direction to the Respondent not to demand further security deposit from the petitioner till the disposal of this petition.
- d. Allow the petitioner to file such additional information, explanation and documents as may be required under the guidelines of the Commission.

e. Allow any other relief, order or direction, which the Commission deems fit to be issued.

2.0 Commission has noted that IPCL has served the proof of service to the respondent under affidavit on 09.10.2023.

3.0 Upon receipt of the same, the Commission has admitted the petition on 16.10.2023.

ORDER

4.0 Considering the petition filed before the Commission by IPCL on 21.09.2023 the Commission hereby directs that :-

- (i) DVC shall submit reply, if any, to the petition filed by IPCL by 30.10.2023. A copy of the reply shall also be served to the petitioner and a proof of service is required to be furnished to the Commission.
- (ii) The petitioner shall have the liberty to file rejoinder, if any, within seven (7) days from the date of receiving the reply from the respondent. A copy of the rejoinder, if any, shall also be served to the respondent and a proof of service is required to be furnished to the Commission.
- (iii) Upon compliance of the directions given by the Commission under paragraph 4 (i) to 4 (ii) above, the Commission shall decide the next course of action.

**Sd/-
(PULAK KUMAR TEWARI)
MEMBER**

**Sd/-
(MALLELA VENKATESWARA RAO)
CHAIRPERSON**

Dated: 17.10.2023

**Sd/-
SECRETARY**