

**Sub: 'Constitution of CGP Status Dispute Resolution Committee'.**

**ORDER**

**(Date of order : 04.12.2023)**

1. MPERC (Verification of Captive Generating Plants and Captive Users) Regulations 2023 have been published in Gazette of MP on 17<sup>th</sup> March 2023.
2. Regulation 9.1 of the aforesaid Regulation stipulates that the Commission shall constitute a committee to be known as CGP Status Dispute Resolution Committee (hereinafter referred to as "CGP Status Committee"). Regulation 9.2 further stipulates that the Commission shall notify the constitution of CGP Status Committee through a separate order.
3. The Commission hereby constitutes the aforesaid Committee as detailed in Annexure-1 attached to this order.

**(Prashant Chaturvedi)**  
**Member**

**(Gopal Srivastava)**  
**Member (Law)**

**(S.P.S. Parihar)**  
**Chairman**

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**Annexure - I**

This Commission hereby constitutes a Committee of the following Officers for resolution of disputes of CGP Status Verification of Captive Generating Plants & Captive Users in terms of the provisions of MPERC (Verification of Captive Generating Plants & Captive Users) Regulations, 2023.

- (i) Chief Engineer (Plg. & PS), MP Power Transmission Company Ltd., Jabalpur
- (ii) CGM (Commercial), MP Poorv Kshetra Vidyut Vitaran Company Ltd., Jabalpur
- (iii) CGM, (Commercial), MP Madhya Kshetra Vidyut Vitaran Company Ltd., Bhopal
- (iv) CGM, (Commercial), MP Paschim Kshetra Vidyut Vitaran Company Ltd., Indore
- (v) Representative from M/s. Bharat Oman Refinery, Bina
- (vi) Representative from M/s. Vardhman Fabrics, Budhni
- (vii) Commission Secretary, MPERC

The Commission Secretary, MPERC, shall be the Co-ordinator of the Committee.

- ii. The CGM Commercial of the Company mentioned in sr. no. 2, 3 & 4 will not be the Member of the Committee for a matter where aggrieved CGP or CGP user belongs to the area of his Discom. Similarly, in case of dispute brought by the Company mentioned in sr. no. (v) & (vi), representative of concerned Company will not be the Member of the Committee for that particular case.
- iii. On receipt of representation against the decision of Designated Authority, the Coordinator of the Committee shall convene meeting of the Committee as specified in Regulation 9 of the MPERC (Verification of Captive Generating Plants & Captive Users) Regulations, 2023. The Co-ordinator shall inform the date of the meeting to all Members except those mentioned in Para 2 above by giving notice of at least 7 days. During meetings, a Member chosen by the Members present shall preside over the meeting.
- iv. Procedure for dispute resolution shall be as under:
  - (i) The Committee shall resolve the disputes of Captive Status Verification and review the decision of designated authority when approached by the aggrieved CGP or Captive User or Distribution Licensee, through a representation.
  - (ii) Any CGP or Captive User or Distribution Licensee aggrieved by the decision of the Designated Authority, may represent before the CGP Status Committee within a period of 30 days from the date of order of Designated Authority if any provisions of Regulation or detailed procedure is not complied by the Designated Authority.
  - (iii) On receipt of an application for such review the Co-ordinator shall notify all the members except those mentioned in Para 2 and shall fix a date for the meeting of the Committee.
  - (iv) The Designated Authority shall provide the details as directed by the Committee which in the opinion of the committee are necessary for appropriate decision in the matter.

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- (v) During the meeting if it appears to the Committee that there is no sufficient ground for review or despite valid grounds of review, the relief sought is not acceptable, the Committee shall reject such review application through a reasoned order.
- (vi) If the Committee is of the opinion that the review application should be granted, it shall grant the same. The decision of the Committee shall be taken by a majority vote of Members present. In the event of equality of votes, the person presiding shall have a second or casting vote.
- (vii) The CGP Status Committee shall examine and resolve the representation made by CGP or Captive User or Distribution Licensee preferably within 45 days of receipt of such representation.
- (viii) The CGP or Captive User or Distribution Licensee may file a petition in accordance with the Madhya Pradesh Electricity Regulatory Commission (Conduct of Business) Regulation, 2016 before the Commission, if they are not satisfied with the decision of the CGP Status Committee within a period of 30 days of such decision.

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