

**MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION  
BHOPAL**

**Sub: In the matter of issues raised by the East Discom on the action taken by SLDC.**

**Suo-Motu Petition No. 21/2018**

**ORDER**

**(Date of Hearing: 20<sup>th</sup> August' 2019)**

**(Date of Order: 29<sup>th</sup> August' 2019)**

Government of Madhya Pradesh, Energy Department,  
Mantralaya, Vallabh Bhawan, Bhopal - Respondent No. 1

M.P. Power Management Co. Ltd.  
Shakti Bhawan, Rampur, Jabalpur – 482 008 - Respondent No. 2

M.P. Poorv Kshetra Vidyut Vitaran Co. Ltd.,  
Block No. 7, Shakti Bhawan, Rampur, Jabalpur – 482008 - Respondent No. 3

M. P. Power Transmission Co. Ltd.  
Shakti Bhawan, Rampur, Jabalpur – 482008 - Respondent No. 4

State Load Despatch Centre (SLDC),  
Block No. 2, Shakti Bhawan, Rampur, Jabalpur – 482008 - Respondent No. 5

Shri Aashish Bernard, Advocate and Shri S.K. Nema, DGM appeared on behalf of Respondent No. 2.

Shri Deepak Chandra, DGM and Shri Prakash Upadhyay, Advocate appeared on behalf of Respondent No. 3.

Shri S.R. Sharma, Law Officer appeared on behalf of Respondent No. 4.

Shri S.S. Patel, SE and Shri Anurag Mishra, EE appeared on behalf of Respondent No. 5.

The subject Suo-Motu petition was registered in view of certain developments informed by Respondent No. 3 regarding issuance of No Objection Certificate/ permission by SLDC without consulting other Respondents in this matter particularly when the matter was pending before the Hon'ble Appellate Tribunal for Electricity in Appeal No. 02 of 2018.

2. The Respondents in this matter have filed their reply with the Commission. By order dated 5<sup>th</sup> July' 2018, Hon'ble Appellate Tribunal for Electricity directed the Commission not to proceed with this Suo-Motu Petition till the issues in Appeal No. 02 of 2018 are decided. Accordingly, vide Commission's order dated 12<sup>th</sup> July' 2018, the subject Suo-Motu Petition has been kept pending.

3. Hon'ble Appellate Tribunal for Electricity vide Judgment dated 17<sup>th</sup> May' 2019 has disposed of Appeal No. 02 of 2018. Therefore, the subject Suo-Motu Petition was listed for hearing on 20<sup>th</sup> August' 2019. During the course of hearing held on 20<sup>th</sup> August' 2019, Ld. Counsel and the representatives appeared on behalf of the Respondent No. 2 and 3 submitted that they have filed Civil Appeals against the aforesaid Judgment passed by Hon'ble Appellate

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Tribunal for Electricity in Appeal No. 02/2018. Therefore, some of the issues involved in the subject Suo-Motu Petition are *subjudice* before the Hon'ble Supreme Court in aforesaid Civil Appeals. The Respondent No. 2 to 5 also submitted that there is necessity of amendments in existing MPERC (Terms and Conditions for Intra-State Open Access) Regulations, 2005.

4. Having heard the parties in the subject Suo-Motu Petition and keeping on record the submissions made by all the Respondents in the matter, the Respondent No. 2, 3, 4 and 5 are directed to submit their proposal for amendment/(s) in MPERC (Terms and Conditions for Intra-State Open Access) Regulations, 2005 after having consultation with other two Discoms also. The aforesaid proposal be filed with the Commission at the earliest but not later than **30<sup>th</sup> September' 2019**.

With the above directions, the subject petition is disposed of.

Sd/-  
**(Shashi Bhushan Pathak)**  
**Member**

Sd/-  
**(Mukul Dhariwal)**  
**Member**

Sd/-  
**(Dr. Dev Raj Birdi)**  
**Chairman**

