

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No.282/MP/2021**

Subject : Petition under Section 79(1) (b), Section 79 (1)(f) and Section 79 (1)(k) of the Electricity Act 2003, read with Articles 11.5.3,11.5.4,12.1, 24.3 and 24.4 of the Pilot Agreement for Procurement of Power (PAPP) dated 26.10.2018 executed between the Petitioner (RKM) and the Respondent (PTC) seeking payment of the outstanding amount on account of (i) monthly supply bills; (ii) late payment surcharge; (iii) additional interest; and for furnishing of Letter of Credit as payment security mechanism.

Petitioner : RKM Powergen Private Limited (RKMPPL)

Respondents : PTCIL India Limited (PTCIL) and 4 Ors.

**Petition No.141/MP/2022**

Subject : Petition under Section 79(1)(b) and 79(1)(f) of the Electricity Act, 2003 read with the Pilot Power Supply Agreement (PPSA) dated 27.10.2018 executed between the Petitioner and the Telangana Discoms for supply of 550 MW of power from the power plant of Respondent No.4/RKM Powergen, seeking payment of the outstanding amount on account of (i) monthly supply bills; (ii) late payment surcharge; and (iii) furnishing Letter of Credit as per the PPSA.

Petitioner : PTCIL India Limited (PTCIL)

Respondents : Telangana State Power Coordination Committee and 3 Ors.

Date of Hearing : **16.8.2023**

Coram : Shri Jishnu Barua, Chairperson  
Shri I. S. Jha, Member  
Shri Arun Goyal, Member  
Shri P. K. Singh, Member

Parties Present : Shri Hemant Singh, Advocate, RKMPPL  
Ms. Alchi Thapliyal, Advocate, RKMPPL  
Ms. Supriya Rastogi, Advocate, RKMPPL  
Shri Ravi Kishore, Advocate, PTCIL  
Shri Keshav Singh, Advocate, PTCIL  
Shri Dhruv Tripathi, PTCIL  
Shri Akshat Srivastava, Advocate, CSPDCL  
Shri D Abhinav Rao, Advocate, Telangana Discoms  
Shri Rahul Jajoo, Advocate, Telangana Discoms  
Shri Devadipta Das, Advocate, Telangana Discoms



## Record of Proceedings

At the outset, learned counsel for the Respondents, Telangana Discoms submitted that pursuant to the direction of the Commission, vide Record of Proceedings for the hearing dated 14.3.2023, a joint meeting was convened between the Petitioner, RKMPPL, PTCIL, and Telangana Discoms for the reconciliation of the outstanding dues. However, the parties have failed to reach a consensus on the outstanding dues, and the minutes of the said meeting have already been placed on record. Learned counsel further indicated that he had been appointed in these matters only recently and, accordingly, sought liberty to file a short affidavit in the matters.

2. Learned counsel for PTCIL submitted that all outstanding principal amounts, except for an amount of Rs. 24 lakh, have already been paid by Telangana Discoms to PTCIL and by PTCIL to RKMPPL. Learned counsel further submitted that Telangana Discoms have requested to waive 50% of the outstanding Late Payment Surcharge, and the proposal has been communicated to RKMPPL by PTCIL.

3. Learned counsel for RKMPPL stated that it does not agree to the proposal of waiver of 50% of outstanding Late Payment Surcharge, and insisted the Respondents to pay the entire Late Payment Surcharge.

4. In response, learned counsel for the Respondents, Telanagana Discoms, sought liberty to seek appropriate instruction on the above aspect.

5. Considering the above, the Commission permitted the Respondents, Telangana Discoms to file their reply affidavit in the matter(s) within two weeks with an advance copy to the Petitioners who may file their response thereof within two weeks thereafter.

6. These Petitions shall be listed for hearing on **8.11.2023**.

**By order of the Commission**

**Sd/-  
(T.D. Pant)  
Joint Chief (Law)**