

**CENTRAL ELECTRICITY REGULATORY COMMISSION
NEW DELHI**

Petition No.562/MP/2020

Subject : Petition under Section 79(1)(b) and (f) of the Electricity Act, 2003 read with Clause 4.7 of the Competitive Bidding Guidelines and Article 13 of the Power Purchase Agreements dated 7.8.2008 and 20.1.2009 entered into by Jhahhar Power Limited with Uttar Haryana Bijli Vitran Nigam Limited, Dakshin Haryana Bijli Vitran Nigam Limited and Tata Power Trading Company Limited respectively in relation to seeking compensation for decrease in revenues and increase in the costs as a result of Change in Law events.

Petitioner : Jhajjar Power Limited (JPL).

Respondent : Uttar Haryana Bijli Vitran Nigam Limited and 2 Ors.

Date of Hearing : **7.5.2025**

Coram : Shri Jishnu Barua, Chairperson
Shri Ramesh Babu V., Member
Shri Harish Dudani, Member
Shri Ravinder Singh Dhillon, Member

Parties Present : Shri Aniket Prasoon, Advocate, JPL
Shri Aman Sheikh, Advocate, JPL
Ms. Archita Kashyap, Advocate, JPL
Shri Tanya Bajaj, Advocate, JPL
Shri M. G. Ramachandran, Sr. Advocate, HPPC
Ms. Poorva Saigal, Advocate, HPPC
Shri Shubham Arya, Advocate, HPPC
Ms. Reeha Singh, Advocate, HPPC
Shri Venkatesh, Advocate, TPTCL
Shri Suahel Bhuttan, Advocate, TPTCL
Shri Vedant Chaudhary, Advocate, TPTCL
Shri Nitish Gupta, Advocate, TPDDL
Shri Nimesh Jha, Advocate, TPDDL
Ms. Aparna Tiwari, Advocate, TPDDL

Record of Proceedings

During the course of the hearing, the learned counsel for the Petitioner circulated list of relevant dates and made detailed submissions on the Change in Law claims arising out of the Railway Electrification Notifications, viz. (i) Railway Budget 2011-12, Vision 2020 Blueprint dated 4.4.2011, and letter of Divisional Railway Manager dated 3.5.2012, requiring the Petitioner to bear the electrification cost of the Private Railway Siding, (ii) Amendment No.5 dated 23.6.2020 to Circular No. 2018/TC(FM)/14/04 issued by the Ministry of Railways, requiring the Petitioner to bear the cost towards maintenance of OHE and inspection charges to NWR, and (iii) Policy Circular on Private Sidings: Freight Marketing Circular No.99/TC(FM)/26/1/Pt.II dated 22.8.2016 issued by the Ministry of Railways, requiring the Petitioner to bear the cost towards inspection and supervision



during maintenance of S&T assets. As regards the Change in Law claim for the increased water charges, the learned counsel for the Petitioner submitted that, given that a similar claim has been disallowed as Change in Law in the past, the Petitioner may be permitted to make the relevant submissions in its note of arguments/written submissions.

2. The matter remained part-heard and the Commission further directed both sides to file their respective note of arguments/written submissions within three weeks, with a copy to the other side.

3. The matter will be listed for the hearing on **25.7.2025**.

By order of the Commission
Sd/-
(T.D. Pant)
Joint Chief (Law)