(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.58 of 2014

M/s.Ramco Cements Limited Petitioner

(Adv. Rahul Balaji)

Versus TANGEDCO & Ors.

... Respondents (Adv.M.Gopinathan)

Hearing dated: 28-12-2021 DAILY ORDER

Order pronounced.

"8.13. In result, the following directions are given-.

- a) The petitioner is eligible for extended period for utilisation of 1/5th of banked energy upto May 2010. The respondent is directed to give effect to the same.
- b) While doing so, the current generation shall have to be adjusted first against consumption and only thereafter the 1/5th of the unutilised banked energy shall be adjusted.
- c) The respondent shall re-work the billing in line with paras (a) & (b) for the period 2010-11. Ordered accordingly.

(Sd......)
(K. Venkatasamy)
(M.Chandrasekar)
Member (Legal)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.3 of 2016

M/s.Mitra Fidelity Limited Petitioner

(Adv.Rahul Balaji)

Versus

TANGEDCO & Ors. Respondents

(Adv. M.Gopinathan)

Hearing held on 28.12.2021

DAILY ORDER

Order pronounced.

"5.15.In view of the above observations, the Commission is of the opinion that the Supplemental Agreement executed by the parties on 06-09-2006 is inconsistent to the extent of lapsing of unutilized energy vis-à-vis the SMP Order No.3 of 2006 dated 15-05-2006. The Banking arrangement and unutilised banked energy shall be dealt with as provided for under Para 10.4 of the Order. It is because in many of the cases, as referred above, the Commission held that the renewal of old agreements/signing of new agreements shall be in line with the Order No.3 of 2006. In view of the same, the petitioner is eligible for payment of unutilised banked energy at the rate of 100% of normal purchase rate as provided under Commission's Order No.6 of 2012 dated 31.07.2012 during the period as the restriction and control measures were in force then.

The payment is to be made within 30 days of this order along with applicable interest".

(Sd......)
(K. Venkatasamy)
(M.Chandrasekar)
Member (Legal)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.4 of 2016

M/s.Greenweiz Projects Limited Petitioner

(Adv.Rahul Balaji)

Versus

TANGEDCO & Ors. Respondents (Adv. M.Gopinathan)

Hearing held on 28.12.2021

DAILY ORDER

Order pronounced.

"5.15.In view of the above observations, the Commission is of the opinion that the Supplemental Agreement executed by the parties on 06-09-2006 is inconsistent to the extent of lapsing of unutilized energy vis-à-vis the SMP Order No.3 of 2006 dated 15-05-2006. The Banking arrangement and unutilised banked energy shall be dealt with as provided for under Para 10.4 of the Order. It is because in many of the cases, as referred above, the Commission held that the renewal of old agreements/signing of new agreements shall be in line with the Order No.3 of 2006. In view of the same, the petitioner is eligible for payment of unutilised banked energy at the rate of 100% of normal purchase rate as provided under Commission's Order No.6 of 2012 dated 31.07.2012 during the period as the restriction and control measures were in force then.

The payment is to be made within 30 days of this order along with applicable interest".

(Sd.....)

(Sd.....)

(K. Venkatasamy)
Member (Legal)

(M.Chandrasekar) Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.5 of 2016

M/s.Tapi Energy Projects Limited Petitioner (Adv.Rahul Balaji)

Versus

TANGEDCO & Ors. Respondents (Adv. M.Gopinathan)

Hearing held on 28.12.2021

DAILY ORDER

Order pronounced.

"5.15.In view of the above observations, the Commission is of the opinion that the Supplemental Agreement executed by the parties on 06-09-2006 is inconsistent to the extent of lapsing of unutilized energy vis-à-vis the SMP Order No.3 of 2006 dated 15-05-2006. The Banking arrangement and unutilised banked energy shall be dealt with as provided for under Para 10.4 of the Order. It is because in many of the cases, as referred above, the Commission held that the renewal of old agreements/signing of new agreements shall be in line with the Order No.3 of 2006. In view of the same, the petitioner is eligible for payment of unutilised banked energy at the rate of 100% of normal purchase rate as provided under Commission's Order No.6 of 2012 dated 31.07.2012 during the period as the restriction and control measures were in force then.

The payment is to be made within 30 days of this order along with applicable interest"

(Sd.....)
(K. Venkatasamy)
Member (Legal)

(Sd......)
(M.Chandrasekar)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003

Central Act 36 of 2003)

PRESENT:-

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

M.P.No.9 of 2021

CE/NCES, TANGEDCO

..... Respondents
(Thiru M.Gopinathan
Standing Counsel for TANGEDCO)

Hearing dated : 28-12-2021

DAILY ORDER

Order pronounced.

"5.8 The KUSUM component A scheme is applicable for capacities from 500 KW to 2 MW as per MNRE guidelines dt.22.7.2019.As per the instructions of MNRE in the Office Memorandum 32/645/2017 SPV Division Dt.13.11.2020, solar power projects less than 500 KW may also be allowed under KUSUM Component A based on technocommercial feasibility. Depending on the quantum contracted in the approved bid process tendered in January 2021 for KUSUM A, the solar power plants developed under the Gross metering concept under the Commission's GISS regulations/Tariff order for GISS in the capacity range of 151 KW to 999 KW may be considered under Component A scheme for the purpose of obtaining Procurement Based Incentive from MNRE. If the capacity under Component A exceeds the sanction of MNRE, approval from MNRE may be obtained for additional capacities. Since the component A scheme is beneficial to both the distribution licensee and the farmers, TANGEDCO shall make adequate publicity through print and electronic media".

(Sd.....)
(K. Venkatasamy)
Member (Legal)

(Sd......)
(M.Chandrasekar)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

PRESENT:-				
Thiru M.Chandrasekar		Chairman		
Thiru. K.Venkatasamy	and	Member (Legal)		
<u>D.R.</u> F	P.No.22 of 2020			
M/s.SSMT Power Pvt. Limited		Petitioner (Adv.Rahul Balaji)		
Versus		(Auv.Nanui Baiaji)		
TANGEDCO & Ors.		Respondents (Adv. M.Gopinathan)		
<u>Hearing</u> !	held on 28.12.2021			

DAILY ORDER

Order pronounced.

"In the result, with regard to the first prayer, the petition is dismissed and with regard to second prayer, the order passed in M.P. No.20 of 2021 will govern this case also. Accordingly the petition is disposed of".

(Sd......)
(K. Venkatasamy)
(M.Chandrasekar)
Member (Legal)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

M.P.No.20 of 2021

Indian Wind Power Association Petitioner

(Adv.Rahul Balaji)

Versus

TANGEDCO & Ors. Respondents (Adv. M.Gopinathan)

Hearing held on 28.12.2021

DAILY ORDER

Order pronounced.

"7.13. After detailed examination of the data of banked energy and unutilized energy, Commission decides as follows:

The unutilised banked energy as on 31.3.2020 of each consumer may be compared with the unutilised banked energy as on 31.3.2021. If the unutilized banked energy as on 31.3.2021 is higher than the quantity banked in FY 2019-20, roll over of banked energy to the extent of the difference in the quantum of FY 20 and FY 21 may be permitted for adjustment excluding peak hours i.e adjustment of energy may be permitted during normal and off-peak hours, for the period from the date of this order to 31.3.2022. The petition is disposed of accordingly".

(Sd......)
(K. Venkatasamy)
(M.Chandrasekar)
Member (Legal)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K. Venkatasamy Member (Legal)

S.M.P.No.2 of 2021

Suo-Motu Proceedings in the Matter of complain made by Coimbatore Consumer Cause

..... Complainant Rep. by its Secretary

Against

(i) CMD/TANGEDCO

(ii) Director (Distribution)

(iii) Director (Finance) Respondents (Adv.M.Gopinathan)

Hearing held on 28-12-2021

DAILY ORDER

Order pronounced.

"15.5. In view of the above, the Commission is satisfied that there is a sincere compliance on the part of TANGEDCO in regard to the orders of the Commission collection of extension cost and hence the present S.M.P. is closed with direction to follow the orders passed in Tmt. Tara Murali and other cases in letter and spirit. Not only that, as directed in ThiruGunalan case, the consumer grievances at various circles shall be settled at the Headquarter of TANGEDCO itself and the consumers shall not be put to necessary hardship and driven to the Commission for relief. The Registry is directed to send a copy of this order to the Chairman and Managing Director, TANGEDCO and Superintending Engineers of all Distribution Circles for compliance. With these observations, the S.M.P. is closed".

(Sd......)
(K. Venkatasamy)
(M.Chandrasekar)
Member (Legal)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

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Thiru M.Chandrasekar	Chairman
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and

Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.6 of 2021

M/s.National Energy Trading Services Limited Petitioner

(Adv. Vinod Kumar)

Versus

- i) Secretary to Govt., Energy Dept.,
- ii) CMD/TANGEDCO & ors.

...Respondents (Adv.M.Gopinathan)

Hearing held on 28-12-2021

DAILY ORDER

Order pronounced.

"8.9. In view of the above, notwithstanding the claim of the petitioner, the respondent is directed to settle the late payment surcharge at the rate of 12% per annum as per the relevant Tariff Order in force.

This D.R.P. is finally disposed of with the above direction".

(Sd......)
(K. Venkatasamy)
(M.Chandrasekar)
Member (Legal)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

PRESENT:-

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.19 of 2021

M/s.OPG Power Generation Pvt. Limited Petitioner

(Adv.Rahul Balaji)

Versus

TANGEDCO Respondent (Adv.M.Gopinathan)

Hearing held on 28-12-2021

DAILY ORDER

Thiru.Rahul Balaji, Advocate appeared for the petitioner. Thiru.M.Gopinathan, Standing Counsel for TANGEDCO appeared. Brief arguments heard from the petitioner. Petition admitted. The case is adjourned to 11.01.2022 for filing counter.

(Sd.....)
(K. Venkatasamy)
Member (Legal)

(Sd......)
(M.Chandrasekar)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.20 of 2021

M/s.Bhabani Pigments Pvt. Limited Petitioner

(Adv.Rahul Balaji)

Versus

TANGEDCO Respondent (Adv.M.Gopinathan)

Hearing held on 28-12-2021

DAILY ORDER

Thiru.Rahul Balaji, Advocate appeared for the petitioner. Thiru.M.Gopinathan, Standing Counsel for TANGEDCO appeared. Brief arguments heard from the petitioner. Petition admitted. The case is adjourned to 18.01.2022 for filing counter.

(Sd......)
(K. Venkatasamy)
(M.Chandrasekar)
Member (Legal)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Ρ	R	Ε	S	Ε	N	Τ	·:-
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Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

I.A.No.1 of 2021 & R.P.No.8 of 2021 in D.R.P. No.18 of 2013

CFC/Deposits & Documentation, TANGEDCO Petitioner

(Thiru.Richardson Wilson, Addl.Govt.Pleader)

Versus M/s.ITC Limited

..... Respondent

Hearing dated : 28-12-2021

DAILY ORDER

Thiru.Richardson Wilson, Additional Government Pleader appeared for TANGEDCO. Thiru.Shiva Mohan, Advocate from M/s.S.Ramasubramaniam & Associates appeared for Respondent i.e.,M/s.ITC Limited. Brief arguments heard from both sides. The counsel for the petitioner submitted that in the absence of challenge to the Government of India Rules, 2005, the impugned order is not sustainable and requires review. The counsel for respondent has raised objection on the maintainability of the petition itself and sought time to file counter affidavit on maintainability. Commission directed the respondent i.e., M/s.ITC Limited to file counter affidavits both on the maintainability and as well as on the merit. Petition not admitted. At the request of the respondent side, the case is adjourned to 11.01.2022 for filing counter on the maintainability and merits.

(Sd.....)
(K. Venkatasamy)
Member (Legal)

(Sd......)
(M.Chandrasekar)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.16 of 2021

M/s.Wind Construction Limited Petitioner

(Adv.Rahul Balaji)

Versus (i) CMD/TANGEDCO & Ors.

... Respondents (Adv.M.Gopinathan)

Hearing dated : 28-12-2021

DAILY ORDER

Thiru.Rahul Balaji, Advocate appeared for the petitioner. Thiru.M.Gopinathan, Standing Counsel for TANGEDCO appeared and sought 2 weeks time for filing counter. At the request of the respondent side, the case is adjourned to 18.01.2022 for filing counter.

(Sd.....)
(K. Venkatasamy)
Member (Legal)

(Sd......)
(M.Chandrasekar)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

PRESENT:-

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.17 of 2021

M/s.Dharani Sugars and Chemicals Limited Petitioner

(Adv.Rahul Balaji)

Versus CMD/TANGEDCO & Ors.

.... Respondents (Adv.M.Gopinathan)

Hearing held on 28-12-2021

DAILY ORDER

Thiru.Rahul Balaji, Advocate appeared for the petitioner. Thiru.M.Gopinathan, Standing Counsel appeared for TANGEDCO and sought time for filing counter. At the request of the respondent side, the case is adjourned to 11.01.2022 for filing counter.

(Sd.....)
(K. Venkatasamy)
Member (Legal)

(Sd......)
(M.Chandrasekar)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

R.P.No.7 of 2021 in

M.P.No.25 of 2021

Rajah Muthiah Chettiar Charitable & Educational Trust

.... Petitioner (Adv. T.Balaji)

Versus

- (i) CMD / TANGEDCO
- (ii) CFC/Regulatory Cell, TANGEDCO

.... Respondents (Adv.M.Gopinathan)

Hearing held on 28-12-2021

DAILY ORDER

Thiru.T.Balaji, Advocate appeared for the petitioner. Thiru.M.Gopinathan, Standing Counsel for TANGEDCO appeared and sought 2 weeks time for filing counter. At the request of the respondent side, the case is adjourned to 11.01.2022 for filing counter.

(Sd.....)
(K. Venkatasamy)
Member (Legal)

(Sd.....)

(M.Chandrasekar) Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

PRESENT:-

Thiru M.Chandrasekar Chairman

and Thiru. K.Venkatasamy Member (Legal)

M.P.No.2 of 2019

..... Petitioner **TANGEDCO** (Thiru M.Gopinathan Standing Counsel for TANGEDCO)

Versus

- Asahi Glass India Limited (1)
- (2) Technical Stamp Lings Automotive Ltd.
- (3)National Textile Corpn. Ltd.
- (4) **CAMBODIA Mills**
- (5) Pankaja Mills
- (6)Sri Ranga Vills Spg. & Wvg Mills
- Kaleeswara Mills (7)
- **Pioneer Spinners** (8)
- Tmt. Muthammal Textiles Mills Pvt. Ltd. (9)
- The Southern India Mills Association (10)
- (11)**Best Cotton Mills**
- (12)Spictex Cotton Mills
- Super Sales India Ltd. (13)
- (14)Aswin Textiles (P) Ltd.
- Bannari Amman Spinning Mills Ltd. (15)
- Bannari Amman Spinning Mills Ltd. (16)
- (17)Rajapalayam Mills Limited
- Tamil Nadu Spinnings Mills Association (18)
- Indosheell Mould Limited (19)
- **TATA Consultancy Services** (20)
- Madras Cements Limited (21)

...... Respondents

(Adv. R.S.Panidyaraj for R-3, R-4, R-5, R-6, R-7, R-8, R-10, R-11, R-13, R-14, R-15, R-16, R-17, R-18 & R-19)

Adv. Rahul Balaji for R-9 & R-21)

Hearing dated : 28-12-2021

DAILY ORDER

Thiru.Richardson Wilson, Additional Government Pleader appeared for TANGEDCO. The Junior to Thiru.S.P.Parthasarathy, Advocate appeared for R-3 to R-8, R-10 to R-11, R-13 to R-19 and prayed to post this matter for arguments after Pongal Holidays. Thiru.Rahul Balaji, Advocate appeared for R-9 & R-21. The counsel for TANGEDCO has filed rejoinder and sought the posting of this matter for arguments early as possible. At the request of the respondent side, the case is adjourned to 18.01.2022 for arguments.

(Sd.....)
(K. Venkatasamy)
Member (Legal)

(Sd......)
(M.Chandrasekar)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003

Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

M.P.No.20 of 2020

Tamil Nadu Spinning Mills Association (TASMA)

.... Petitioner (Adv. R.S.Pandiyaraj)

Versus

CFC/Revenue, TANGEDCORespondent

(Adv.M.Gopinathan)

Hearing held on 28-12-2021

DAILY ORDER

The Junior to Thiru.S.P.Parthasarathy, Advocate appeared for the petitioner. Thiru.M.Gopinathan, Standing Counsel for TANGEDCO appeared and submitted that refund has already been made and if any member of the Association has grievance on refund, it would be looked into. The junior counsel for the petitioner has sought short adjournment as his senior is away. At the request of the petitioner side, the case is adjourned to 18.01.2022 for further hearing with direction to TANGEDCO to file a memo on the status of refund and to serve a copy of the memo on the petitioner.

(Sd......)
(K. Venkatasamy)
(M.Chandrasekar)
Member (Legal)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

M.P.No.46 of 2021

CE/PPP, TANGEDCO ... Petitioner

(Adv.M.Gopinathan)

Hearing dated : 28-12-2021

DAILY ORDER

Thiru.M.Gopinathan, Standing Counsel for TANGEDCO appeared and prayed to close this petition as the tender for procurement of power is not being proceeded further. Commission observed that the petition may be treated as infructuous. Order reserved.

(Sd.....)
(K. Venkatasamy)
Member (Legal)

(Sd......)
(M.Chandrasekar)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

PRESENT:	-
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Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

M.P.No.28 of 2021

Thiru.B.Balamurali,

Pollachi Petitioner

(Adv.R.S.Pandiyaraj)

Versus

i) CMD / TANGEDCO

...Respondent (Adv.M.Gopinathan)

Hearing held on 28-12-2021

DAILY ORDER

The Junior to Thiru.S.P.Parthasarathy, Advocate appeared for the petitioner and sought time for arguments. Thiru.M.Gopinathan, Standing Counsel appeared for TANGEDCO. At the request of the petitioner side, the case is adjourned to 18.01.2022 for arguments.

(Sd......)
(K. Venkatasamy)
(M.Chandrasekar)
Member (Legal)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003 Central Act 36 of 2003)

PF	RES	EN	T:-
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Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

M.P.No.43 of 2021

Chief Electrical Traction Engineer, Southern Railway

..... Petitioner (Adv.K.Muthamil Raja)

Versus

- (i) CMD/TANGEDCO
- (ii) MD/TANTRANSCO

... Respondents

(Adv.M.Gopinathan for R-1 & Adv.V.Anil Kumar for R-2)

Hearing dated : 28-12-2021

DAILY ORDER

The Junior to Thiru.K.Muthamil Raja, Advocate appeared for the petitioner and filed rejoinder and further sought short adjournment for arguments. Thiru.M.Gopinathan, Standing Counsel appeared for TANGEDCO. Thiru.V.Anil Kumar, Standing Counsel for TANTRANSCO appeared. At the request of the petitioner side, the case is adjourned to 11.01.2022 for arguments.

(Sd.....)
(K. Venkatasamy)
Member (Legal)

(Sd......)
(M.Chandrasekar)
Chairman

//True Copy//

(Constituted under Section 82 (1) of the Electricity Act, 2003

Central Act 36 of 2003)

Thiru M.Chandrasekar Chairman

and

Thiru. K.Venkatasamy Member (Legal)

D.R.P.No.5 of 2021

M/s.Arkay Energy (Rameswaram) Limited

.... Petitioner (Adv. Anirudh Krishnan)

Versus

- i) Secretary to Govt., Energy Dept.,
- ii) CMD/TANGEDCO & ors.

...Respondents (Adv.M.Gopinathan)

Hearing held on 28-12-2021

DAILY ORDER

Ms.Kshipra Pyare, Junior to Thiru.Anirudh Krishnan, Advocate appeared for the petitioner and sought short adjournment. Thiru.M.Gopinathan, Standing Counsel appeared for TANGEDCO. At the request of the petitioner side, the case is adjourned to 18.01.2022 for arguments.

(Sd.....)
(K. Venkatasamy)
(M.Chandrasekar)

Member (Legal)

//True Copy//

Secretary
Tamil Nadu Electricity
Regulatory Commission

Chairman