

**IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
NEW DELHI**

(APPELLATE JURISDICTION)

APPEAL NO. 121 OF 2019

Dated: 04.08.2022

**Present: Hon'ble Mr. Justice R.K. Gauba, Officiating Chairperson
Hon'ble Mr. Sandesh Kumar Sharma, Technical Member**

In the matter of:

**NORTH EASTERN ELECTRIC POWER
CORPORATION LIMITED,**

Brookland Compound,

Lower New Colony,

Shillong -793003

Meghalaya

... Appellant(s)

VERSUS

1. ASSAM POWER DISTRIBUTION COMPANY LIMITED

Through its Managing Director,

Bijulee Bhawan, Paltan Bazar,

Guwahati – 781001

**2. MEGHALAYA POWER DISTRIBUTION
CORPORATION LIMITED**

Through its Managing Director,

Short Round Road,

Lumjingshai,

Shillong – 793001

**3. TRIPURA STATE ELECTRICITY CORPORATION
LIMITED**

Through its Managing Director,

“Bidyut Bhawan”,

Banamalipur,

Agartala – 799001

- 4. POWER & ELECTRICITY DEPARTMENT**
Through its Secretary,
Govt. of Mizoram, Power House Complex,
Electric Veng,
Aizawl – 796001.
 - 5. MANIPUR POWER DISTRIBUTION COMPANY LTD.**
Through its Secretary,
Government of Manipur
Keishampet,
Imphal – 795001.
 - 6. DEPARTMENT OF POWER**
Through its Secretary,
Government of Arunachal Pradesh,
Bidyut Bhawan,
Itanagar – 791111.
 - 7. DEPARTMENT OF POWER**
Through its Secretary,
Government of Nagaland,
Kohima – 797001.
 - 8. NORTH EASTERN REGIONAL POWER COMMITTEE,**
Through its Secretary,
NERPC Complex, Dong Parmaw,
Lapalang,
Shillong – 793006.
 - 9. NORTH EASTERN REGIONAL LOAD DESPATCH CENTRE,**
Through its Managing Director,
Dongtieh, Lower Nongrah,
Lapalang,
Shillong – 793006.
 - 10. CENTRAL ELECTRICITY REGULATORY COMMISSION**
Through its Secretary,
3rd and 4th Floor, Chandralok Building,
36, Janpath,
New Delhi – 110 001
- ... Respondents

Counsel for the Appellant (s): Ms. Poorva Saigal
Mr. Shubham Arya
Ms. Reeha Singh

Counsel for the Respondent (s): Mr. Avijit Roy for R-1

J U D G M E N T (Oral)

PER HON'BLE MR. JUSTICE R.K. GAUBA, OFFICIATING CHAIRPERSON

1. The appellant, North Eastern Electric Power Corporation Ltd. (hereinafter referred to as, “*NEEPCO*”) is a Government of India Enterprise incorporated under the provisions of Companies Act, 1956, it being a generating company in terms of Electricity Act, 2003 also engaged in the business of sale of electricity.

2. The grievances raised by the appeal at hand directed against the Order dated 05.11.2018 of tenth respondent, Central Electricity Regulatory Commission (hereinafter referred to as, “the *Central Commission*”) concern the generating station of *NEEPCO*, it comprising of six gas turbines of 33.5 MW capacity and three steam turbines each of 30 MW capacity. The appellant has an arrangement with Oil India Limited (“*OIL*”), a government owned company, for procurement of supply of gas for the generating station in the shape of Gas Supply Purchase Agreement (“*GSPA*”) executed on 24.09.1995, followed by another *GSPA* executed on 24.06.2015.