

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

OP No. 1 of 2011

Dated: 19th October, 2012

Present : Hon'ble Mr. Justice M. Karpaga Vinayagam, Chairperson
Hon'ble Mr. Rakesh Nath, Technical Member
Hon'ble Mr. V.J. Talwar, Technical Member

Tariff Revision
(Suo-Motu action on the letter
received from Ministry of Power)

Amicus Curiae Advocates:

- 1. Mr. M.G. Ramachandran**
- 2. Mr. R.K. Mehta**
- 3. Mr. Amit Kapur**
- 4. Mr. Buddy A. Ranganadhan**

Counsel for Comissions:

- 1. Mr. G. Umapathy (Tamil Nadu)**
- 2. Mr. C.K. Rai for (Rajasthan & Tripura) along with**
Mr. R.C. Sharma, Jt. Secretary, RERC

ORDER

We have perused the report of the Forum of Regulators dated 4.7.2012. We also heard the Learned Counsel, the Amicus Curiae.

Earlier by the order dated 11.11.2011 we have directed all the State Electricity Regulatory Commissions and Joint Electricity Regulatory Commissions to send information with regard to tariff revision, the compliance of the provisions relating to adequacy of tariff and fuel and power purchase cost adjustment by 1st June of every year.

We also directed the Secretary, Forum of Regulators to collect the relevant data from all the State Commissions and Joint Commissions and submit the particulars before this Tribunal. Accordingly, we received the report dated 4.7.2012.

On perusal of this report, it is noticed that except the State of Assam, Uttar Pradesh and West Bengal all other State's State Commissions and Joint Commissions have revised their tariff in the year 2012-13. We have not received any information from these States namely Assam, Uttar Pradesh and West Bengal with regard to the compliance of our earlier order in OP No. 1 of 2011 dated 11.11.2011 so far. Hence, we deem it appropriate to give directions to give the information in regard to the compliance of our order dated 11.11.2011.

Accordingly, we direct these three State Commissions 'Assam, Uttar Pradesh and West Bengal' to send their respective reports with regard to compliance of our earlier orders on or before 19.11.2012 to this Tribunal to enable us to pass further orders.

Secretary of Forum of Regulators also can contact these State Commissions and collect the present datas and submit before this

Tribunal. The Forum of Regulators is further directed to send the clear and full particulars of all the datas collected so far to the Registry.

Registry is directed to send this order to these three Commissions along with copy of the report dated 4.7.2012 of Forum of Regulators for their perusal and comments. Forum of Regulators can also submit their report on or before the same day i.e. on 19.11.2012.

Registry is directed to serve the copies of this report as well as other records to all the Amicus Curiae Counsels. Amicus Curiae Counsels are required to give their suggestions on or before 27.11.2012.

Post the matter for passing further orders on **29.11.2012.**

(V.J. Talwar)
Technical Member

(Rakesh Nath)
Technical Member

(Justice M. Karpaga Vinayagam)
Chairperson

ts/mk