



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

CIN: U40100KL2011SGC027424

Reg off: Vidyuthi Bhavanam Pattom Thiruvananthapuram 695 004 Kerala, India

Phone (O) +91 471 2514319 2514681 2514650

E-mail: trac@kseb.in Website: www.kseb.in

ABSTRACT

Appeal petition filed by JITPL before APTEL – Engaging Adv.Prabhas Bajaj- Sanctioned - Orders issued.

Corporate Office (Commercial & Tariff)

Board order (FTD)No. 713/2020(KSEB/TRAC/CG/JITPL/2020-21/

dtd. 24.11.2020

Read: 1. Appeal petition filed by JITPL before APTEL

2. Note no.KSEB/TRAC/CG/JITPL/2020-21 dtd. 17-11-2020 of the Deputy Chief Engineer (Commercial & Planning) with full powers of Chief Engineer (Agenda 74/11/20)

ORDER

M/s. Jindal India Thermal Power Ltd.(JITPL) one of the generator under Bid-2 has filed an appeal petition read 2 above before the APTEL challenging the order of KSEB dated 14-2-2020 in Petition No.OA 29 of 2019 and order dated 27-4-2020 in OA 2 of 2020, read with common order dated 14-8-2020 passed in the Review petition no.2 of 2020 and 4 of 2020. JITPL has also prayed that the procurement of power of 100MW capacity by the Respondent no.2 from the Appellant's power project stands approved in the PSA dated 29-12-2014 stands adopted in terms of section 63 of the EA,2003 and the guidelines issued thereunder. KSEBL is the second respondent in the appeal. The admissibility hearing of the matter was held on 6-11-2020 and in the hearing, deliberations were held on approval of PSA and APTEL directed to issue notice to KSEBL and has directed KSEBL to file reply.

The Deputy Chief Engineer (Commercial & Planning) with full powers of Chief Engineer placed the matter before Full Time Directors as per note read 2 above and suggested that considering the importance of the case, KSEBL may engage an expert counsel for dealing the case before Hon'ble APTEL. It is reported that Adv.Prabhas Bajaj, who has dealt with the PSA of Jhabua Power (contracted under same bid) before CERC and presently before APTEL is well studied and has dealt with the case of KSEBL before CERC and APTEL. Hence it is recommended to engage him for this case as per the memo of fee attached as annexure to this order.

Having considered the matter in detail, the Full Time Directors in its meeting held on 17-11-2020 :

1. Resolved to accord sanction to engage an expert counsel for dealing the appeal filed by JITPL before Hon'ble APTEL
2. Further resolved to engage Adv.Prabhas Bajaj for dealing with this case before Hon'ble APTEL as per his memo of fee.

Orders are issued accordingly.

By order of Full Time Directors,
Sd/
Lekha G.
Company Secretary I/C

To

The Deputy Chief Engineer (Commercial & Planning) with full powers of Chief Engineer

Copy to: DCE(TRAC), PA to Director (Finance) FCA to Secretary (Administration), Stock file, Library

Forwarded by order

Asst: Exe.Engineer

Sl.No.	Description	Amount
1	Towards drafting petitions/appeals/special leave petitions/Statement of claim	Rs.60,000/-
2	Towards drafting counter/rejoinder/applications/affidavits etc	Rs.40,000/-
3	Towards conference (per hour)	Rs.15,000/-
4	Towards appearance before CERC/APTEL/Delhi High Court/Supreme Court Effective Hearing Non effective hearing	Rs.50,000/- Rs.20,000/-
5	Clerkage	@10%
6	Miscellaneous Expense	On actual basis

By order of Full Time Directors,
Sd/
Lekha G.
Company Secretary I/C