



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

CIN: U40100KL2011SGC027424

Vydyuthi Bhavanam Pattom Thiruvananthapuram 695 004 India

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ABSTRACT

Writ petition before the Hon'ble High Court against CERC(Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 – Engaging Sr.Adv.Maninder Singh- Sanction accorded - Orders issued.

Corporate Office (Commercial & Tariff)

B.O.FTD)No. 675 /2020(KSEB/TRAC/CG/CERC Regulations/2020-21 dtd. 6 - 11-2020

- Read: 1. Notification No.L-1/250/2019/CERC dated 4-5-2020 of CERC.
2. Note no.KSEB/TRAC/CG/Trans charge/2020-21 dated 30-9-2020 of Deputy Chief Engineer(Commercial & Planning) with full powers of Chief Engineer.
3.This office note no.KSEB/TRAC/CG/Trans charge/2020-21 dtd.12-10-2020 of Deputy Chief Engineer(Commercial & Planning) with full powers of Chief Engineer
4. Letter dated 16-10-2020 of O/o Sr.Adv.Maninder Singh.
5. Note no.KSEB/TRAC/CG/CERC Regulations/2020-21 dtd.27-10-2020 of Deputy Chief Engineer(Commercial & Planning) with full powers of Chief Engineer (Agenda no.20-11-2020).

ORDER

KSEBL has decided to file writ petition before Hon'ble High Court against the Regulation CERC (Sharing of Inter State Transmission charges and losses)Regulations, 2020 issued by CERC. Directors of KSEBL in the note read 2 above had ordered to engage Adv.Harikumar, for dealing this case before Hon'ble High Court and to get the draft writ petition vetted by him.

Accordingly, the draft writ petition forwarded to Adv.Harikumar was modified and vetted by him. The same was approved by CMD,KSEBL in the note read 3 above.

The Deputy Chief Engineer(Commercial & Planning) with full powers of Chief Engineer as per note 5 above reported that considering the stake involved in the case and the urgent requirement of a stay of the impugned regulations (Impugned regulations are getting implemented from 1-11-2020), the need for entrusting Sr. Advocate was examined for this case. Based on this, Adv.Harikumar contacted Sr.Adv. Maninder Singh, former Addl. Solicitor General of India, New Delhi and enquired his willingness for the same and requested to forward his memo of fee. Sr.Adv.Maninder Singh was entrusted for the above case after obtaining remarks of LA & DEO of KSEBL. Sr.Adv.Maninder Singh, as per letter read 4 above, conveyed his willingness and forwarded his memo of fee for appearance before Hon'ble High Court of Kerala, as submitted below.

Sl.No.	Description	Amount (Rs.)
1	Fee for appearance before Kerala High Court (Through Virtual Hearing)(per appearance, per case)	7,50,000
2	Fee for conference (per hour)	55,000
3	Fee for settling per pleading	1,10,000
4	Clerkage	@10% of above

The Deputy Chief Engineer(Commercial & Planning) with full powers of Chief Engineer reported that Sr.Advocates appearing before Supreme Court and courts in Delhi are generally levying higher fees for appearance in outside courts. Also, the matter involved is related to the regulations issued by CERC and since the matter is related to transmission tariff and complicated, an advocate dealing similar matters in CERC /APTEL/Supreme Court is required to deal with the case effectively. It was also suggested to engage Sr.Adv.Maninder Singh ,former Addl. Solicitor General of India, New Delhi to appear before Hon'ble High Court of Kerala on behalf of KSEBL in writ petition filed by KSEBL before Hon'ble High Court of Kerala challenging the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 as per the memo of fee claimed above.

Having considered the matter in detail, the Full Time Directors in its meeting held on 4-11-2020, resolved to accord sanction to engage Sr.Adv.Maninder Singh, former Addl. Solicitor General of India, New Delhi to appear before Hon'ble High Court of Kerala on behalf of KSEBL in writ petition filed by KSEBL before Hon'ble High Court of Kerala challenging the Central Electricity Regulatory Commission (Sharing of Inter-State Transmission Charges and Losses) Regulations, 2020 as per the memo of fee given above.

Orders are issued accordingly.

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

To

1. The Deputy Secretary (Administration)

Copy to:


Financial Advisor.

Deputy Chief Engineer (TRAC)/ Commercial

Stock file

Library

Forwarded by order


Asst: Exe.Engineer