



## Delhi Electricity Regulatory Commission

Viniyamak Bhawan, 'C' Block, Shivalik, Malviya Nagar, New Delhi – 110017.

No. F.11(1980)/DERC/2022-23/7388

### Petition No. 26/2022

In the matter of: **Petition u/S 86 of the Electricity Act, 2003 and other enabling provisions for seeking approval of the Draft Narora Atomic Power Station PPA to be executed between TPDDL and Nuclear Power Corporation of India Limited.**

**Tata Power Delhi Distribution Ltd.** ....Petitioner

**Versus**

**Nuclear Power Corporation of India Ltd.** ....Respondent

**and**

### Petition No. 50/2022

In the matter of: **Petition u/S 86 of the Electricity Act, 2003 and other enabling provisions for seeking approval of the Draft Rajasthan Atomic Power Station PPA to be executed between TPDDL and Nuclear Power Corporation of India Limited.**

**Tata Power Delhi Distribution Ltd.** ....Petitioner

**Versus**

**Nuclear Power Corporation of India Ltd.** ....Respondent

**Coram:**

**Hon'ble Shri Justice Shabihul Hasnain 'Shastri', Chairperson**

**Hon'ble Dr. A. K. Ambasht, Member**

**Appearance:**

1. Mr. Buddy A. Ranganadhan, Adv. TPDDL
2. Ms. Akanksha Das, Adv., NPCIL

### **INTERIM ORDER**

(Date of Hearing: 11.10.2022)

(Date of Order: 11.10.2022)

1. Heard Mr. Buddy Ranganadhan, Counsel for the Petitioner, TPDDL, as well as Ms. Akanksha Dass, for NPCIL. It has been submitted that the Respondent in its reply have not agreed to two of the deviations in the agreement submitted by the TPDDL and in two other deviations they have to get the instructions from their board. Mr. Ranganadhan has very fairly submitted that these creases needs to be ironed out and he needs some time for this. During the argument, a query has crept up as to the interpretation of Section 184 of the Electricity Act, 2003. *Prima-*

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facie, it appears that the Section 184 debars the Ministry of Atomic Energy as a whole from being in the purview of the Electricity Act, 2003. In the present case, the TPDDL has entered into a PPA with NPCIL. How far, the import of Section 184 will be affecting this agreement is to be examined on the next date. Mr. Buddy Ranganadhan as well as Ms. Akanksha Das have assured the Commission that they will assist the Commission in the matter by the next date.

2. List the matter on 17.11.2022.

**Sd/-**  
**(Dr. A.K. Ambasht)**  
**Member**

**Sd/-**  
**(Justice Shabihul Hasnain 'Shastri')**  
**Chairperson**