

**PUNJAB STATE ELECTRICITY REGULATORY COMMISSION  
SCO NO. 220-221, SECTOR 34-A, CHANDIGARH**

**Petition No. 67 of 2017  
Date of Order: 06.03.2018**

Present: Ms. Kusumjit Sidhu, Chairperson  
Sh. S.S. Sarna, Member  
Ms. Anjali Chandra, Member

In the matter of: Petition under Section 86 (1) (b), Section 86 (1) (f), Section 94 (1)(g) of the Electricity Act, 2003 read with Regulation 69 of the Punjab State Electricity Regulatory Commission (Conduct of Business) Regulations, 2005 seeking issuance of directions to the Standing Committee to adhere and comply with the mandate of the final order dated 16.03.2016 issued by APTEL in Appeal No. 68 of 2013, by way of timely allowing arrangement of coal from alternate sources in case of NPL facing shortage of coal from the linked sources in order to operate the Project in terms of the PPA; claiming for the loss of availability suffered by NPL on account of the present non-adherence with the aforesaid final order by the two constituents of the Standing Committee other than NPL, by way of not granting its approval to arrange coal from the alternate sources as per the mandate of aforesaid order despite the demonstrated and accepted shortfall of coal from the linked sources; and immediate directions for arrangement of coal from alternate sources to avoid any shortfall in the current financial year in order to implement the aforesaid order issued by the Hon'ble Tribunal in its true letter and spirit.

AND

In the matter of: Nabha Power Limited, Aspire Tower, 4<sup>th</sup> Floor,  
Plot No.55, Industrial and Business Park, Phase-  
1, Chandigarh-160 002.

...Petitioner

Vs.

Punjab State Power Corporation Ltd., through its  
Engineer-in-Chief, Thermal Designs, PSPCL,  
Shed No.T-2, Thermal Design Complex, Patiala -  
147001.

... Respondent

**ORDER**

NPL filed I.A No. 1152 of 2017 before Hon'ble APTEL on 18.12.2017 in Appeal No. 68 of 2013 in petition no. 56 of 2012 and requested Hon'ble APTEL to clarify that the 'Standing Committee on NPL' is vested with full and complete authority under the Order dated 19.02.2014 of the Commission in petition no. 57 of 2013 which stood merged with the Final Order dated 16.03.2016 passed by Hon'ble APTEL in Appeal no. 68 of 2013, to determine all the issues and questions arising in the day to day operation of the Project including the determination of the quantum of shortfall and the consequential additional cost of coal to be procured, so as to ensure smooth operation of the plant and to avoid unnecessary litigation. Hon'ble APTEL vide order dated 20.12.2017 disposed of the above IA with the direction to PSERC to dispose of the application to be filed by NPL as expeditiously as possible at any rate within a period of eight weeks from the date of presenting the application to be filed by NPL taking into consideration the observations made in the order dated 16.03.2016 passed in

Appeal No. 68 of 2013 & IA Nos. 423 of 2014 and 60 of 2015 and in accordance with law.

NPL has filed this petition on 28.12.2017 pursuant to the ibid order of Hon'ble APTEL, seeking clarification that the 'Standing Committee on NPL' is the final authority and is vested with full and complete authority under the Order of the Commission dated 19.02.2014 which stood merged with the Final Order passed by the Hon'ble APTEL dated 16.03.2016, to determine the quantum of shortfall of coal required to operate the Project in terms of the PPA and the additional cost of coal to be procured from alternate sources and all the issues and questions arising in day to day operation of the Project, so as to ensure smooth operation of the plant and to avoid unnecessary litigation. In addition, NPL is also claiming the loss of availability suffered by it on account of the non-adherence by the Constituents of the Standing Committee (excluding NPL) by way of not granting it approval to arrange coal from the alternate sources as per the mandate of the aforesaid Final Order despite having demonstrated the shortfall of coal from the linked sources which was accepted by the Standing Committee; and also seeking immediate directions for arrangement of coal from alternate sources to avoid any shortfall in the current financial year in order to operate the plant in terms of the PPA and implement the aforesaid Final Order in its true letter and spirit.

2. The parties were heard on 24.01.2018. NPL was directed to file details of coal ordered during the last one year period, in terms of ACQ, coal supplied by SECL/CIL, stock position of coal every 15 days as also similar details of alternate coal

procured, if any, within a week with a copy to PSPCL. It was directed that PSPCL shall also file similar details as per their record / information with a copy to NPL. The next date of hearing was fixed as 13.02.2018 vide order dated 01.02.2018.

3. On 13.02.2018 both the parties were heard and the order was reserved. During hearing on 13.02.2018, the parties were directed to file the written submissions by 16.02.2018. The petitioner has submitted the written submissions vide letter dated 16.02.2018 and PSPCL submitted written submissions vide memo. no. 6380 dated 13.02.2018 (received on 19.02.2018) and memo. no. 6424 -25 dated 19.02.2018. The written submissions filed by the parties reiterate their respective stands already taken by the parties in the earlier replies / submissions.
4. NPL's submissions in the petition, in brief, are as hereunder:
  - i) The erstwhile PSEB (now succeeded by PSPCL and PSTCL after unbundling on 16.4.2010) invited competitive bids on 10.06.2009 under Section 63 of the Electricity Act 2003 through NPL, then a Special Purpose Vehicle (SPV) as its authorized representative for development of the project and procurement of power on long term basis.
  - ii) Pursuant to the bids, L&T Power Development Limited was the successful bidder and acquired NPL, as per terms of the bid documents. NPL and PSPCL signed PPA dated 18.01.2010.
  - iii) Unit-1 and Unit-2 of the 2x700 MW Project have achieved commercial operation on 01.02.2014 and 10.07.2014 respectively.
  - iv) The project was allocated under case-2 competitive bidding and PSPCL was required to arrange the fuel

linkage. PSPCL arranged the fuel linkage of 5.55 MTPA from SECL which is not sufficient to operate 1400 MW project at Normative Availability, as the LoA arranged by PSPCL was for 1200 MW only. The quantum of approximately 20% of coal is lost while getting the RoM coal with higher ash content washed prior to transportation in terms of the relevant notifications of the Ministry of Environment. Further, there is shortfall on account of inadequate supplies under the linkage due to restricted allocation by SECL as also scarcity of railway rakes to transport the coal.

- v) Keeping in view the imminent shortage of coal, NPL filed Petition No. 56 of 2012 before the Commission under Section 86(1)(b) and 86(1)(f) of the EA 2003 on 30.10.2012 *inter alia* seeking permission to arrange coal from alternate sources, imported coal as well as domestic e-auction coal and coal from other domestic sources to meet the deficit in supply of coal i.e. the required quantum of coal to operate the Project in terms of the PPA less actual supply of domestic coal under the LoA/FSA, for the Project.

The Commission vide its order dated 31.12.2012 disposed of Petition No. 56 of 2012 wherein it observed that in view of the fact that SECL is assuring to supply 80% of the Annual Contracted Quantity of coal, the Petitioner's apprehensions regarding not being able to operate the plant beyond a certain Plant Load Factor/Availability are not entirely unfounded. The Commission also observed that PSPCL and the State Government have to, besides

the developer, take up the matter with the quarters concerned for allocation and supply of adequate quantity/quality/grade of coal for the generating station to run successfully as per PPA. However, with respect to the use of imported coal from international markets as well as domestic e-auction coal to meet the shortfall in supply of required quantum of coal for running the Project as per the PPA, the Commission directed NPL to approach it for approval as per terms of the PPA at the appropriate time.

- vi) In view of the urgent need to arrange balance coal, NPL filed Appeal No. 68 of 2013 on 18.02.2013 before the Hon'ble APTEL with respect to the Order dated 31.12.2012 of the Commission in Petition No. 56 of 2012. Subsequently, NPL filed IA No. 227 of 2013 in Appeal No. 68 of 2013 on 08.07.2013 seeking the permission of Hon'ble APTEL to continue with the tender process for procurement of imported coal in view of the urgency involved for taking advance action for procurement of coal from alternate sources to meet the exigencies of shortfall in supply of required quantum of coal for the Project.

Hon'ble APTEL vide Order dated 21.8.2013 in IA No. 227 of 2013 in Appeal No. 68 of 2013 allowed NPL to take advance action in order to meet the expected shortfall in availability of coal for the Project. In terms of the aforesaid order, Hon'ble APTEL granted interim directions *inter alia* allowing NPL to procure imported coal or coal from alternative domestic sources for its Project to meet the expected shortfall in supply from linked sources so that the

Project remains available to operate in terms of the PPA for a period of 12 months from the expected commencement of operation of the Unit-1.

- vii) In terms of the directions of Hon'ble APTEL in its order dated 21.08.2013, NPL filed petition no. 57 of 2013 before the Commission seeking approval of the terms and conditions for the actual procurement of coal from alternative sources including the imported coal and pass through of the landed cost of such coal as part of tariff under the PPA to PSPCL. The Commission vide its order dated 19.02.2014 allowed the procurement of coal from alternate sources and the pass through of the cost of such coal in accordance with the LoA/FSA and the PPA, subject to the terms and conditions set out in its order. In line with the Hon'ble APTEL's order, the Commission also allowed the interim arrangement for a period of one year from the expected commencement of operation of Unit-1 of the Project i.e. up to January, 2015 considering the COD of Unit-1 took place on 01.02.2014.
- viii) As a measure for smooth operation of the plant and to avoid unnecessary litigation, a mechanism in the form of the 'Standing Committee on NPL Project' comprising of the Secretary, Power/Govt. of Punjab, CMD/PSPCL and Chief Executive/NPL was recognized and authorized to resolve day to day issues and avoid unnecessary litigation. The Commission in para 25 of the said order, also observed that as per the Act, the Commission is not mandated to approve procurement /

price of material and it is for PSPCL and the Generator / NPL to decide the procurement matters being signatories to PPA. It is in this view, that the Commission in para 35(x) of the aforesaid order dated 19.02.2014 continued with the mechanism where the said Standing Committee was recognized and meant to be the final authority to determine the additional cost of coal from alternate sources / imported coal procured by NPL to meet the shortages in coal supplied by CIL or its subsidiaries. The Standing Committee was constituted and was delegated the power by the Commission to take requisite actions allowing NPL to arrange coal from alternate sources in case of it facing shortfall and subject to the conditions laid down therein, allow pass through of such cost of procurement of coal from alternate sources.

- ix) NPL filed IA No. 423 of 2014 in Appeal No. 68 of 2013 before Hon'ble APTEL and sought extension of the interim Order dated 21.08.2013, which was allowed by Hon'ble APTEL vide its Order dated 02.12.2014. Thereafter, NPL approached the Commission vide Petition No.04 of 2015 for extension of its Order dated 19.02.2014 in Petition No. 57 of 2014. The Commission in its Order dated 11.06.2015 in Petition No. 04 of 2015 did not grant such approval holding that NPL was not facing shortfall in supply of coal due to non availability of railway rakes and not due to supply of coal from the linked sources. However, the Commission allowed the Standing Committee to decide the procurement of coal from alternate sources post

comparing the GCV equivalent price with that of the domestic coal.

Since the Petition No. 4 of 2015 was only meant to seek extension of the Commission's interim order dated 19.02.2014 till the final disposal of the Appeal no. 68 of 2013, the condition stipulated by the Commission of *undertaking comparative GCV equivalent pricing between CIL supplied coal and coal from alternate sources*, in the order dated 11.06.2015 could not and does not entail any implication beyond the final disposal of appeal by Hon'ble APTEL, specifically in view of the fact that neither the said order nor aforesaid specific condition finds mention in Hon'ble APTEL's Final Order dated 16.03.2016 in Appeal No. 68 of 2013.

- x) Subsequently, NPL and PSPCL submitted to Hon'ble APTEL for converting its interim Order dated 21.08.2013 read with the Commission's Order dated 19.02.2014 into a final order. Hon'ble APTEL vide order dated 16.03.2016 disposed of Appeal No. 68 of 2013 with the following directions:

*"....5. The learned counsel for the contesting parties have agreed to the situation that the Interim Order dated 21.08.2013, passed by this Appellate Tribunal in the instant appeal be hereby made absolute and be given effect to finally along with the relevant part quoted above of the order dated 19.02.2014 of the State Commission in Petition No. 57 of 2013.*

*6. Hence, with the consent and agreement of learned counsel for the parties, we hereby dispose of this appeal with the aforesaid directions given in our Interim*

*Order dated 21.08.2013 and State Commission's order dated 19.02.2014 with one clarification, though, the State Commission is of the view that there is no shortage of coal at present, if there is any shortage of coal in future, at any point of time, for the reasons like shortage of any kind of coal namely, domestic coal or shortage of railway rakes or shortage of any other kind of transport not attributable to the appellant(s) then the State Commission is directed to consider the reasons and pass appropriate order at appropriate stage without any procrastination or undue delay. With these terms, the instant appeal is hereby disposed of."*

Hon'ble APTEL, in effect, observed that NPL should be allowed to arrange coal from alternate sources to meet any shortfall in supply of coal on account of reasons beyond its control, namely short supply, transportation related issues including non-availability of railway rakes.

- xi) As per the mandate of Hon'ble APTEL's Final Order dated 16.03.2016, the Standing Committee which has been delegated the power by the Commission's Order dated 19.02.2014, is under an obligation to take requisite actions allowing NPL to arrange coal from alternate sources if it faces any shortfall of domestic coal from linked sources on account of any reason not attributable to it.
- xii) Pursuant to the issuance of the Final Order by Hon'ble APTEL, the Order dated 19.02.2014 of the Commission which was originally meant for a period of 1 year from COD of Unit-1 of the Project, has merged with the Final Order dated 16.03.2016 and therefore, has become absolute and applicable for the balance term of the Project.

- xiii) PSPCL vide letter dated 29.03.2016 directed NPL to ensure full availability of the plant during the paddy season i.e. May, 2016 to September, 2016. NPL vide letter dated 03.05.2016 replied to PSPCL that it foresees the shortfall of approximately 6.32 Lakh MT of domestic coal from SECL/CIL. The 'Standing Committee on NPL project' held a meeting on 19.05.2016 and allowed NPL to procure 6.0 Lakh MT of imported coal having GCV of 6300 kCal/Kg to meet the then existing shortfall.
- xiv) PSPCL vide its letter dated 10.03.2017 requested NPL to be available to run the Plant at 100% availability on account of the approaching paddy season and to replenish the low coal stock available at the Plant. A tripartite meeting was convened by PSPCL along with CIL and Independent Power Producers on 22.03.2017 to discuss the matter of coal availability and strategy to meet shortfall during paddy season by CIL. Subsequently, PSPCL sent a letter dated 28.03.2017 with subject marked as 'Sufficient availability of coal from CIL sources for TPPs of Punjab during peak paddy season' enclosing an email sent by CIL dated 27.03.2017 in this regard. CIL in its aforesaid email requested PSPCL that in view of sufficient availability of coal, PSPCL should make it mandatory for exclusive use of indigenous coal by IPPs in the national interest.
- xv) NPL could not receive sufficient quantum of coal to operate the Project at Normative Availability in terms of the PPA. This is evident from the various letters dated 24.04.2017, 01.06.2017, 30.06.2017 and 27.09.2017 written by the Principal Secretary, Government of Punjab

seeking CIL/SECL to supply coal in terms of its commitment to NPL. In addition, PSPCL had also written a letter on 12.09.2017 requesting CIL to make supply in terms of its commitment. In the letter dated 01.06.2017, Principal Secretary, Department of Power, Government of Punjab stated that in the event CIL is not able to commit and ensure availability of desired quantity and quality of coal to NPL, PSPCL shall be constrained to permit procurement of imported coal so that it can meet the power requirement of Punjab during the ensuing paddy season.

- xvi) NPL vide letter dated 25.04.2017 intimated PSPCL that it had floated a tender for procurement of imported coal and requested PSPCL's participation in the bid opening process.
- xvii) NPL vide letter dated 01.05.2017 requested Secretary/ Power, GoP to convene a meeting of the Standing Committee so that the imported coal procurement could be finalized to ensure 100% availability of the plant during paddy season. NPL vide letter dated 15.05.2017 intimated PSPCL that it had already conducted the bid process for procurement of 5.0 Lakh MT of imported coal and the bid process had been duly witnessed by PSPCL's representatives. It was further intimated that the shortfall of coal can only be met by way of procurement of imported coal.
- xviii) The Standing Committee held a meeting on 26.05.2017 to deliberate of the issues in relation to procurement of coal from alternative sources. NPL demonstrated the requirement of atleast 5.05 Lakh MT of imported coal with

GCV of 5800 kCal/Kg whereas the Standing Committee allowed procurement of only 1.5 Lakh MT of imported coal and undertook to review the situation after a period of 15 days.

- xix) PSPCL vide letter dated 02.06.2017 directed NPL to maintain sufficient coal stock at its plant so as to ensure 100% plant availability. NPL vide letter dated 15.06.2017 requested Principal Secretary, Department of Power, GoP to convene the meeting of the Standing Committee which was scheduled to be undertaken within 15 days of the previous meeting. Thereafter, NPL vide letter dated 22.06.2017 requested PSPCL to get the meeting of the Standing Committee convened at the earliest as the coal stock for the plant had reached a critical level. In response, instead of addressing drastic situation of the coal supplies, PSPCL vide letter dated 03.07.2017 asked NPL to make all possible efforts to build up the coal stock for the plant to tide over the impending rainy season when the mining activities gets disrupted.
- xx) NPL vide letters dated 10.07.2017 to the Principal Secretary, Department of Power, GoP and 18.07.2017 to PSPCL informed that the situation of domestic coal supply has further deteriorated as CIL/SECL had cancelled the pending allotment of IPPs including that of NPL. NPL further intimated that against the 48 rakes for which it had made payment, only 11 rakes had been dispatched in the month of June 2017. In view of the above, NPL informed that the coal stock was in critical range for the Plant and requested that a meeting of the Standing Committee be

convened at the earliest so as to approve the procurement of imported coal beyond 1.5 lakh MT and up to 5.05 lakh MT.

- xxi) NPL vide letter dated 29.07.2017 against requested Principal Secretary, Department of Power, GoP to convene the meeting of the Standing Committee. PSPCL vide letter dated 04.09.2017 once again directed NPL to ensure that it replenishes the coal stock for its Plant to meet its power demand requirement without addressing NPL's request to urgently convene a meeting of the Standing Committee. NPL vide letter dated 13.09.2017 intimated Principal Secretary, Department of Power, GoP that it has been unable to procure the alternate coal in absence of the Standing Committee's approval as the Standing Committee failed to convene a meeting despite several requests.
- xxii) NPL vide letter dated 14.09.2017 intimated PSPCL that only 25000 MT coal was available which was hardly sufficient for 1.5 days operation of the plant. NPL informed PSPCL that one unit of the plant will be shut down w.e.f. 15.09.2017 on account of shortage of coal. However, no action was taken for holding of a meeting of the Standing Committee by PSPCL or GoP. NPL informed PSPCL that it reserves its right to claim loss of availability arising on account of it not being allowed to arrange coal from alternate sources.
- xxiii) PSPCL vide its letter dated 15.09.2017 after acknowledging the shutdown of one Unit of the Plant due to shortage of coal, once again, requested NPL to take all

the steps immediately in this regard so as to maintain sufficient quantum of coal for ensuring availability of full generation capacity at its Plant.

- xxiv) NPL after having faced the shutdown of one Unit of its Plant and not seeing any sign of getting the meeting of Standing Committee convened, decided to float a tender for the procurement of imported coal. In this regard, NPL vide its letter dated 18.09.2017 provided the schedule of tender process to PSPCL and vide letter dated 21.09.2017 requested PSPCL to depute its representative to attend the bidding process on 04.10.2017.
- xxv) NPL vide letter dated 14.10.2017 informed PSPCL that since it chose not to depute its representative for the bid opening, NPL had conducted the bid process as per the schedule for procurement of 6 lakh MT of imported coal to meet the shortfall.
- xxvi) PSPCL vide email dated 02.10.2017 requested NPL to start its Unit with immediate effect due to acute power shortage being faced by PSPCL. NPL vide letter dated 05.10.2017 informed PSPCL its decision to restart the Unit under shutdown. However, due to shortage of coal at site, it was again shut down w.e.f. 11.10.2017. The unit was put back in service on 13.11.2017. NPL vide letter dated 16.11.2017 informed PSPCL that it has been facing acute shortage of coal from linked sources despite having requisitioned the entire capacity offered by CIL which has forced NPL to shut down one of its Units for a period of 54 days in the last two and half months i.e. 16 days in September, 2017, 25 days in October, 2017 and 13 days

in November, 2017. As a result of this, NPL is facing the loss of capacity charges amounting to Rs. 64.9 crore till 13.11.2017. In order to avoid further loss of capacity charges, NPL was constrained to procure 2.4 lakh MT of imported coal, which is well within the already acknowledged 5.05 lakh MT imported coal out of which only 1.5 lakh MT has been approved by the Standing Committee.

PSPCL is liable to pay capacity charges for the loss of availability due to repeated shut down of one unit along with surcharge in terms of the PPA.

While procuring 2.4 Lakh MT of coal, NPL has complied with all the terms and conditions as set out in the Commission's Order dated 19.02.2014. Even after the procurement of 2.4 Lakh MT of imported coal, NPL continues to face acute shortfall of coal required for it to be available to operate its Plant in terms of the PPA. The coal shortfall envisaged for the period between 01.11.2017 and 31.03.2018 is 4.67 Lakh MT (3.34 lakh MT equivalent imported coal).

xxvii) As NPL's continuous efforts yielded no concrete result in terms of getting the Standing Committee meeting convened which was in clear violation of the Hon'ble APTEL's Final Order, it filed IA No. 1018 of 2017 in Appeal No. 68 of 2013 on 17.11.2013 in order to seek appropriate directions on account of non-compliance of the Final Order by PSPCL. After NPL filed the aforesaid IA before Hon'ble

APTEL, it received a letter dated 21.11.2017 from PSPCL informing about convening of the meeting of the Standing Committee on 30.11.2017. Hon'ble APTEL vide its order dated 28.11.2017 directed NPL to take up all the issues/grievances before the Standing Committee in the meeting to be held on 30.11.2017 and dismissed the said IA as withdrawn.

xxviii) The meeting of the Standing Committee was held on 30.11.2017 wherein, the Chairman of the Standing Committee, Additional Chief Secretary, Power, GoP, raised a query whether it is within the scope of the Standing Committee to consider and approve procurement of alternate coal to meet the shortfall of coal from linked sources faced by NPL. NPL brought to the notice of the Standing Committee that as per Hon'ble APTEL's Final Order dated 16.03.2016, the earlier interim order of Hon'ble APTEL dated 21.08.2013 has been made absolute and final along with the relevant part of the Commission's order dated 19.02.2014 which includes constitution of the Standing Committee. NPL brought out that the Standing Committee was constituted with the express purpose of avoiding unnecessary litigation and to resolve day to day issues and is the final authority to determine the additional cost of coal from alternate sources. Therefore, the Standing Committee constituted by the Commission, which is an integral part of Hon'ble APTEL's Final Order dated 16.03.2016, is empowered to deal with such proposals. NPL also brought out that the said Committee in the past specifically even after the Final Order dated 16.03.2016

i.e. on two specific occasions vide its meeting dated 19.05.2016 and 26.05.2017, has ascertained quantum of shortfall and allowed procurement of coal from alternate sources to meet the same.

The Chairman of the Standing Committee suggested that NPL may seek further clarification from the Hon'ble APTEL / Commission on whether the Standing Committee can consider and approve procurement of alternate coal by NPL. The Standing Committee did not approve NPL's additional requirement of imported coal to meet the shortfall of coal from the linked sources.

xxix) In light of the stance taken by the Standing Committee regarding the scope of its power to consider and approve the procurement of alternate coal to meet the shortfall of coal from linked sources, NPL filed I.A No. 1152 of 2017 in Appeal No. 68 of 2013 before Hon'ble APTEL, on 18.12.2017. NPL requested Hon'ble APTEL to clarify that the Standing Committee is vested with full and complete authority under the order of the Commission dated 19.02.2014 which stood merged with the Final Order passed by Hon'ble APTEL dated 16.03.2016, to determine all the issues and questions arising in the day to day operation of the Project including the determination of the quantum of shortfall and the consequential additional cost of coal to be procured, so as to ensure smooth operation of the plant and to avoid unnecessary litigation.

Hon'ble APTEL vide its order dated 20.12.2017 disposed of I.A No. 1152 of 2017 wherein it directed NPL to approach the Commission and directed the Commission to

dispose of the application/petition filed by NPL as expeditiously as possible at any rate within a period of eight weeks from the date of filing of the application/petition by NPL.

xxx) NPL prayed the Commission to:

- a) Clarify that the Standing Committee is the final authority and is vested with full and complete authority under the order of this Hon'ble Commission dated 19.02.2014 which stood merged with the Final Order passed by the Hon'ble Tribunal dated 16.03.2016, to determine the quantum of shortfall of coal required to operate the Project in terms of the PPA and the additional cost of coal to be procured from alternate sources and all the issues and questions arising in day to day operation of the Project, so as to ensure smooth operation of the plant and to avoid unnecessary litigation;
- b) Hold and declare that the shortfall in quantum of coal at the Project site in terms of Hon'ble Tribunal's Final Order dated 16.03.2016, is to be ascertained only on the basis of deficit between the quantum of coal required to operate the Project in terms of the PPA and the quantum of coal available from the linked sources post washing;
- c) Hold and declare that the ascertainment of shortfall of coal required to operate the Project in terms of the PPA in accordance with the Hon'ble Tribunal's Final Order dated 16.03.2016 is neither dependent upon the power requirement of the Respondent nor upon the incremental increase in the energy charges, if any, on account of the procurement of coal from the alternate sources;
- d) Direct the Standing Committee to grant post facto approval for procurement of 2.4 lakh MT of imported

coal and allow a complete pass through of the cost of such imported coal in terms of the Order;

- e) Direct the Standing Committee to allow NPL to further procure 3.34 lakh MT of imported coal, on an urgent basis, to meet its projected coal shortfall for the current financial year 2017-2018;
  - f) Hold and declare that NPL is not responsible for the loss of availability for the period of the shutdown of Unit(s) during the current FY 2017 -2018 caused due to shortage of coal on account of failure of PSPCL as the constituent of the Standing Committee to approve the procurement of coal from alternate sources in a timely manner;
  - g) In terms of prayer (f) above, direct PSPCL to pay and/or refund capacity charge for the period of the shutdown of Unit(s) during the current FY 2017 -2018 caused due to shortage of coal on account of failure of PSPCL as the constituent of the Standing Committee to approve the procurement of coal from alternate sources in a timely manner, along with the surcharge in terms of the PPA and refund any Contract Year Penalty imposed by PSPCL along with surcharge on account of such loss of availability;
  - h) Grant such order(s) and further relief(s) in the facts and circumstances of the case as this Commission may deem just and equitable in favour of NPL.
5. PSPCL submitted its reply to the petition vide memo no. 6197 dated 16.01.2018. PSPCL's submissions in its reply, in brief, are as hereunder:
- i) (a)NPL is proceeding on the basis, that a mandatory direction is to be issued to the Standing Committee to give approval to the procurement of 2.4 lakh MT of imported coal, made

by it in the past and to approve to procure additional 2.87 lakh MT of imported coal to meet the projected shortfall in FY 2017-18.

(b)NPL is also seeking a direction to PSPCL to pay the capacity charges for the non-generation on account of shortage of coal.

(c)NPL has also sought for a mandatory direction to be given to the Standing Committee to deal with the procurement of alternative coal in future.

ii) (a)APTEL's Order dated 16.3.2016 was a consent Order passed on an Order dated 19.2.2014 passed by the Commission in Petition No. 57 of 2013. Paragraphs 35 (i) to (ix) of the said Order deals with the term for procurement of alternative coal. In the said Order, there are various conditions in relation to such procurement of the imported coal. It has been specifically noted in the said Order that the procurement of coal from alternative sources as an advance action on the part of NPL will not give any right to NPL to raise any charges over and above those admissible to NPL as per the terms and conditions of the PPA.

(b) It is in the light of these various conditions, the Commission had provided for the constitution of a Committee as a measure for smooth operation of the plant and to avoid unnecessary litigation, specifically stating that it is to resolve the day to-day issues.

- iii) While it has been provided that the Standing Committee shall also be the final Authority to determine additional cost of coal from alternative sources/imported coal procured by NPL to meet the shortages, the same was obviously in the circumstances where there is a complete agreement between the Members of the Standing Committee.
- iv) The Order dated 19.2.2014 passed by the Commission besides imposing various conditions, did not intend to deal with the procurement of coal from alternative sources to be decided by the Standing Committee for the entire duration of the PPA.
- v) In terms of the operative part of the decision of Hon'ble APTEL, the direction is to the Commission to consider the aspects of shortage in coal and pass appropriate Orders. Despite the specific operative part contained in the Order dated 16.3.2016 which provides for the decision to be taken on the aspect of shortage of coal is by the Commission, NPL herein is seeking a mandatory direction to the Standing Committee to decide on such aspects. The operative part does not merely provide that the State Commission has delegated the entire aspect on the shortage of coal to the Standing Committee and the Commission will only have some supervisory jurisdiction.
- vi) While NPL had sought for an approval of procurement and use of 5.05 Lakh MT of imported coal, the Standing Committee in the meeting held on 26.5.2017 considered it appropriate to approve only 1.5 lakh MT of imported coal with

further procurement to be reviewed at a later stage. In regard to the approval for procurement and use of further quantum of coal, it is necessary for NPL to file a substantive petition giving full justification and reason as to the shortage of availability of coal from SECL despite efforts made by NPL and the prudence of procuring coal from alternative sources specifically in terms of Paragraph 6 of the Order dated 16.3.2016 passed by the Hon'ble APTEL, in Appeal No. 68 of 2013.

vii) Under the terms of the bid, the restricted and only obligation of PSPCL was for arranging the fuel linkage for the project for the specified quantum of coal, which was duly arranged for and discharged at the time of bidding itself. There was no obligation of PSPCL to procure or arrange coal or to otherwise deal with Coal India Limited or its subsidiaries at any time thereafter or on an ongoing basis for procurement of coal.

viii) NPL was required to sign and execute the Fuel Supply Agreement with the coal companies and arrange to purchase the coal including to pay the cost of purchase of coal to the coal companies. PSPCL is required to only pay the tariff in terms of the PPA which includes the Energy charges besides the quoted fixed charges.

ix) There is no general provision in the PPA for procurement or use of alternate coal for the life of the PPA.

x) The standing committee was to deal with day to day issues in the procurement of alternate coal. The committee's role was

in terms of the approval given by the Commission and was not to approve procurement of alternate coal for periods not covered by the Commission's order. The order of Commission was initially applicable for 12 months. For subsequent periods, it was the responsibility of NPL to obtain the approval of the Commission from time to time when there was estimated shortfall of domestic coal.

xi) The additional cost of alternate coal is a pass through in the tariff to the consumers and the approval of the Commission is necessary. This is also the position settled by the Hon'ble Supreme Court in the case of All India Power Engineers Federation v Sasan Power Limited, (2017) 1 SCC 487.

xii) The Commission in its Order dated 11.06.2015 in Petition No. 4 of 2015 filed by NPL declined to grant approval for procurement of alternate coal and held that in case the Petitioner procures alternate coal on its own, the cost would be lower of the alternate coal or linkage coal.

xiii) In the past, when there have been no dispute between the parties, the parties have been able to resolve the procurement of alternate coal. However, the same does not result in the standing committee having jurisdiction for the life of the PPA to decide on the procurement of alternate coal without the prior approval of the Commission or for NPL to avoid approaching the Commission for approval. This was neither the role intended for the standing committee, nor can the standing committee in law be granted the above role.

xiv) Therefore, it was not open to NPL to claim as a matter of right the consent of PSPCL to procure alternate coal and pass on the full cost of the same to PSPCL. The standing committee was not the relevant authority to grant approval of the alternate coal procurement, when the same was not approved by the Commission and more particularly when there is a necessity to go into the aspects of shortfall in the availability of coal from SECL, the efforts made by NPL for procurement of coal from SECL and need for alternate coal. The procurement, if any, was only subject to the conditions as laid down by the Commission and most importantly the cost of the coal that is permissible.

NPL cannot contend that the Standing Committee should necessarily decide and approve the procurement of alternate coal independent of the approval of the Commission.

xv) The alleged shortfall and alleged losses as claimed by NPL are on account of NPL having not approached the Commission in terms of the direction of Hon'ble APTEL but proceeding to take unilateral action in procurement of alternate coal.

xvi) It has been provided in Hon'ble APTEL's Order dated 16.03.2016 that NPL shall approach the Commission for approval in case for any shortage in future for any reason whatsoever. This has been ignored by NPL. Further, the intention of Hon'ble APTEL was also not to bind the Standing Committee to approve alternate coal at any time during the life of the PPA without the approval for the Commission.

xvii) The consistent directions of the Commission as well as the Hon'ble APTEL, is for NPL to approach the Commission in case of shortage of SECL coal under the coal linkage. The Standing Committee was not created for granting approval for alternate coal procurement for the life of the PPA. In the meeting of the Standing Committee held on 30.11.2017, it was suggested by PSPCL that having regard to the previous orders of the Commission and Hon'ble APTEL, the Commission need to be approached on the issue of procurement of alternate coal. This was also done as there was no consensus at the earlier meeting held on 26.05.2017 on the procurement of alternate coal in excess of 1.5 MT.

xviii) NPL has not approached the Commission despite the specific directions of Hon'ble APTEL in the order dated 16.03.2016, it cannot seek to shift the blame on PSPCL and claim any compensation. It is for NPL to establish to the satisfaction of the Commission the existence of shortage of coal despite efforts made by it with SECL and need for and the prudence on the part of NPL in arranging coal from alternate sources. If and when the Commission permits the recovery of the additional cost of coal, the liability of PSPCL will arise. The fixed charges are payable in terms of the PPA and have been paid by PSPCL.

xix) There is no further clarification or direction to be given to the Standing Committee, as it is settled by Hon'ble APTEL and also the previous decisions of the Commission that the Petitioner is to approach the Commission for approval. Further, the factors to be ascertained or considered for the

short-fall, the reasons for short-fall, prudence of the parties etc. are to be examined by the Commission when approached by the Petitioner. The procurement of alternate coal has an impact on tariff, and therefore any issue involving tariff is within the sole jurisdiction of the Commission. Even in the present petition, NPL is seeking directions for ex-post facto approval to be granted by the Standing Committee.

xx) NPL cannot seek any relief for the past period, when it did not approach the Commission for procurement of alternate coal and acted in a unilateral manner. The matter for future procurement and approval if any required may be considered on merits, based on the details given by NPL. In the present petition, NPL has not specifically claimed any shortfall for the future period with details thereof.

6. The petitioner filed the rejoinder dated 23.01.2018 to PSPCL's reply dated 16.01.2018, wherein it reiterated its earlier submissions.

7. NPL vide letter dated 06.02.2018 filed the details in compliance with the directions issued by the Commission vide its Order dated 01.02.2018. NPL submitted as under:

i) The project requires minimum 6.68 MTPA of coal in order for it to be available to operate at 85% Normative Availability in terms of the PPA. As against this, the present quantum of coal linkage under the Letter of Allotment arranged by PSPCL and subsequently the Fuel Supply Agreement entered into by NPL with SECL is only for 5.55 MTPA (ACQ). This means that there is already a

deficit of 1.13 MTPA coal for the Project even for being available at Normative Availability to operate in terms of the PPA.

ii) The Project has been facing shortfall in supply of coal primarily on account of the following factors:

a) The linkage provided by PSPCL is not sufficient to operate the 1400 MW (2x700) Project at Normative Availability.

b) Certain quantum of coal is lost while getting the RoM coal with higher ash content washed prior to transportation in terms of the relevant notifications of the Ministry of Environment, Forest & Climate Change.

c) Shortfall on account of inadequate supplies under the linkage due to restricted allocation by SECL and also scarcity of railway rakes to transport the coal.

iii) In terms of the order of the Commission dated 01.02.2018, a statement setting out the details of the shortfall of 18.27 Lakh MT of coal from linked sources (deficit between ROM coal requirement at 85% PLF and linkage coal allocated till December, 2017) in the FY 2017-18 i.e. April 2017 to December, 2017 has been submitted.

iv) NPL has taken all the possible steps to procure linkage coal even from the additional sources of CIL (CIC Area, BCCL Area) and actually procured 8.02 Lakh MT during the relevant period. However, the aforesaid efforts by

NPL have not yielded the desired results. In terms of the FSA, the firm allocation of coal by SECL is restricted to 75% of the ACQ. Therefore, the coal procured from the additional sources of CIL on an ad hoc basis cannot be treated as a firm allocation under the linkage from CIL/SECL as there is no certainty regarding the quantity and quality of coal and the timing of receiving the same from the aforesaid additional sources. The coal from additional sources is offered by CIL depending upon its availability which is likely to vary from time to time. In contrast to this, the firm allocation of coal under linkage offered by CIL/SECL is based on monthly allotment letter issued by CIL/SECL. The Petitioner has procured 29.97 Lakh MT as part of firm supply under the linkage from CIL/SECL during the relevant period.

The statement setting out the actual coal stock with NPL as on 31.12.2017, the total coal supplied by SECL/CIL (till December, 2017) along with the details and the details of imported coal procured by NPL to meet the shortfall for its Project has been submitted.

- v) In terms of the Commission's order dated 19.02.2014 which forms a part of the Final Order of Hon'ble APTEL dated 16.03.2016, NPL has been uploading on its website the inventory of coal received from SECL as well as alternative sources along with quantity requisitioned, quantity received and quantity used, source wise, as also the coal stock position / report which is jointly verified by a representative of PSPCL on a monthly basis at the end of

each month. The statement setting out the details of the monthly coal stock till 31.12.2017 has been submitted.

vi) The statement setting out the fortnightly coal stock including the closing stock of both SECL supplied coal as well as coal provided by additional sources by CIL and imported coal for the relevant period and the details of shutdown period of one Unit due to low coal stock has been submitted.

vii) In order to prevent the shut down of the unit, NPL procured 2.4 Lakh MT of imported coal having GCV of 5800 kCal/Kg. The said quantum of 2.40 lakh MT of imported coal so procured pursuant to the transparent bidding process is being delivered in two tranches i.e. 1.0 lakh MT has already been delivered till December, 2017 and 1.4 lakh MT is being delivered in January and February, 2018. The statement setting out the details of the imported coal procured on account of shortfall of coal from domestic sources during FY 2017-18 and the delivery schedule of the aforesaid imported coal has been submitted.

viii) Even after the procurement of 2.40 lakh MT of imported coal, NPL continues to face acute shortfall of coal required for it to be available to operate its Plant in terms of the PPA. The coal shortfall envisaged for the period between 01.11.2017 and 31.03.2018 is approximately 4.67 lakh MT (3.34 lakh MT equivalent imported coal) and NPL has requested the Commission to direct the

Standing Committee to allow it to further procure 3.34 lakh MT of imported coal on an urgent basis in the instant Petition.

- ix) The monthly coal stock verification is being carried out jointly in respect of all the coal received at the Project, and the reports are duly signed by the representatives of both NPL and PSPCL on monthly basis at the end of each month. The above mentioned coal stock reports for the relevant period in FY 2017-18 (April, 2017 to December, 2017) on a monthly basis have been submitted.
- x) The Standing Committee, even after having acknowledged the shortfall demonstrated by NPL, did not allow it to arrange entire shortfall quantity of coal from the alternate sources. As a result, NPL continues to face acute shortfall of coal, as is evident from perusal of the data contained in the aforementioned submissions.

### **Commission's Observations, Findings and Decision**

8. The Commission has carefully gone through the petition, reply thereto by PSPCL, rejoinder to the reply by the petitioner and other submissions filed by the parties. Considering the submissions of the parties as brought out in the foregoing paras, the findings and decision of the Commission are as follows:

The Commission notes that NPL submitted that 6.68 Million Ton Per Annum (MTPA) of coal is required for the project to operate at 85% Normative Availability in terms of the PPA. The present quantum of coal linkage in terms of FSA with SECL is only

5.55 MTPA. NPL further submitted that it has been facing shortfall in supply of coal on account of inadequate supplies under the linkage due to restricted allocation by SECL, scarcity of railway rakes and shortfall in linkage provided by PSPCL by way of LoA for 5.55 MTPA. In terms of FSA, the firm allocation of coal by SECL is restricted to 75% of the ACQ. NPL has submitted the fuel data for FY 2017-18 wherein it has shown the 'ROM coal (linkage) shortfall till December, 2017' as 18.27 Lakh MT and the 'Net shortfall in coal till December, 2017' as 4.79 Lakh MT after taking into account the 8.02 Lakh MT supply of coal from additional CIL sources (ad hoc allocations) & 5.46 Lakh MT alternate coal (imported) procured @ 4150 GCV equivalent (5800 GAR).

PSPCL submitted that the order of the Commission dated 19.02.2014 in Petition No. 57 of 2013 was applicable for a period of 12 months and that for the subsequent period, it was the responsibility of NPL to obtain the approval of the Commission from time to time when there was estimated shortfall of domestic coal, particularly if there were disputes in relation to the shortfall of coal or procurement of alternate coal.

NPL contended that in terms of paragraph 35(x) of the Commission's Order dated 19.02.2014, a mechanism in the form of 'Standing Committee on NPL Project' was recognized and authorized to determine the additional cost of coal from alternate sources/imported coal procured by NPL to meet the shortages in coal supplied by CIL or its subsidiaries. NPL further contended that this entire mechanism was meant to ensure smooth operation of the project and to avoid unnecessary litigation. NPL contended that Hon'ble APTEL vide its Final Order dated 16.03.2016, with the

consent and agreement of both the parties, disposed of Appeal No. 68 of 2013 in terms of its earlier interim order dated 21.08.2013 along with the relevant portion of the Commission's Order dated 19.02.2014. NPL further contended that as per the mandate of the Hon'ble APTEL's Final Order, the Standing Committee, which had been delegated the power by way of the Commission's order dated 19.02.2014, is under an obligation to take requisite actions for allowing NPL to arrange coal from alternate sources if it faces any shortfall of domestic coal from linked sources. NPL submitted that the Commission's Order dated 19.02.2014 which was originally meant for a period of 12 months from the COD of Unit-1 of the Project, stood merged with Hon'ble APTEL's Final Order dated 16.03.2016 and therefore, had become absolute and applicable for the balance term of the Project i.e. approximately 23 years from the date of the Final Order. The Commission in its Order dated 19.02.2014 (para 25) and 11.06.2015 (para 14(xi)) has given the background in which the Standing Committee has been constituted and clearly stated that the Commission is not mandated to approve procurement / price of material and it is for PSPCL and NPL to decide the procurement matters being signatories to PPA. Further, the Commission also held that the Standing Committee is clearly vested with the power to make relevant changes in the modalities which were meant to ascertain shortfall and take consequential action for procurement of coal from alternate sources. NPL contended that if it is made to approach the Commission for taking approval on each occasion involving shortfall as is being contended by PSPCL now, the entire intent and purpose of having constituted the Standing Committee will become redundant. NPL submitted that the fact that the Standing Committee is required to

determine the additional cost of coal from alternative sources inherently and intrinsically entails that it is required to determine the quantum of shortfall. NPL further submitted that the Standing Committee has been functioning on these lines and understanding for the last 2 years as it had determined the quantum of shortfall during the paddy season, approved the additional cost of procurement of coal from alternate sources and allowed pass through of such additional cost, on two specific occasions vide its meeting dated 19.05.2016 in FY 2016-17 and 26.05.2017 in FY 2017-2018. Thereafter, the meeting of the said Standing Committee was not convened and NPL was forced to shut down one unit for a period of 54 days due to shortage of coal and is now faced with a potential loss of Rs. 64.9 Crore. In order to avoid further loss of capacity charges, NPL was constrained to take proactive step to procure 2.40 lakh MT of imported coal which is well within the already acknowledged 5.05 Lakh MT imported coal out of which only 1.5 Lakh MT has been approved by the Standing Committee.

PSPCL submitted that the Commission in its Order dated 11.06.2015 in Petition No. 04 of 2015 filed by NPL, declined to grant approval for procurement of alternate coal and held that in case NPL procures alternate coal on its own, the cost would be lower of the alternate coal or linkage coal. NPL contended that the condition of undertaking comparative GCV equivalent pricing as stipulated in the order of the Commission dated 11.06.2015 in Petition No. 4 of 2015 cannot be relied upon by PSPCL as the same does not find mention in APTEL's Final Order dated 16.03.2016 and the relevance of the aforesaid condition was

limited for the period during FY 2015-16 and cannot be read beyond such period. NPL submitted that the entire purpose of discovering the lowest price of the coal from alternate sources based on the competitive bidding after following the detailed terms and conditions of the Final Order will be completely lost if the procurement of coal based on such lowest discovered price is again subjected to the extraneous consideration of PSPCL i.e., undertaking comparative GCV equivalent pricing between domestic coal and imported coal. NPL further submitted that PSPCL never raised the issue of it being not convinced of the efforts taken by NPL in procuring coal from SECL or being in disagreement with NPL on the need for procurement of alternate coal.

**After considering the above submissions and contentions of the parties, the Commission is of the view that the essence of Hon'ble APTEL's Final Order dated 16.03.2016 in Appeal No. 68 of 2013 in view of its interim Order dated 21.08.2013 read with the Commission's Order dated 19.02.2014 in Petition No. 57 of 2013 is to ensure availability of sufficient quantum of coal required for operation of the plant in terms of the PPA. Further, in terms of APTEL's aforesaid Final Order, the petitioner is required to take all reasonable steps to arrange maximum quantum of coal from linked sources. However, if there is any shortage of coal for the reasons not attributable to the petitioner, in that case, it is entitled to arrange the coal from alternate sources and the Standing Committee is meant to facilitate the entire process. The Commission notes that the Standing Committee was**

constituted as a measure for smooth operation of the plant and to avoid unnecessary litigation. The Standing Committee is also the final authority to determine the additional cost of coal from alternative sources / imported coal procured by NPL to meet the shortages in coal supplied by CIL or its subsidiaries. The Commission notes that the said Standing Committee in its meeting held on 19.05.2016 allowed NPL to procure 6.0 Lakh MT of imported coal through open bidding process overseen by PSPCL against the shortfall of 6.32 Lakh MT of coal projected by NPL. The Standing Committee on NPL Project again in its meeting held on 26.05.2017 allowed NPL to procure 1.5 Lakh MT of imported coal through the bid opened on 13.05.2017 and overseen by PSPCL representatives, against the shortfall of 5.05 Lakh MT projected by NPL. The Commission notes that a meeting of the Standing Committee was again held on 30.11.2017. The draft minutes of the meeting were not signed by any of the constituents. However, the perusal of the draft minutes of the meeting of PSPCL as submitted by NPL with its petition, reveals that the Standing Committee held that in terms of the APTEL's Order dated 16.03.2016 in Appeal No. 68 of 2013, it is not open to NPL to contend that the Standing Committee approve the procurement of alternate coal without the prior approval of the PSERC. The Commission notes that the said Standing Committee approved the procurement of coal on 19.05.2016 and 26.05.2017 i.e. after the APTEL's Order dated 16.03.2016. Therefore, the stand now taken by the Standing Committee on NPL Project is not correct.

**The constitution of the ‘Standing Committee on NPL Project’ did not mean that the petitioner will have to come first to the Commission for the approval of shortage in coal from linked sources from time to time and thereafter, the said committee will approve the additional cost of coal from alternative sources / imported coal and allow the procurement of the same. The Commission holds that the additional cost of coal to be procured is consequential to the determination of the quantum of shortfall. The Commission has already held in its Order dated 19.02.2014 that the committee should have appreciated that as per the Act, the Commission is not mandated to approve procurement/price of material and it is for PSPCL and the Generator to decide the procurement matters being signatories to PPA.**

**Considering the above, the Commission clarifies that ‘Standing Committee on NPL Project’ as constituted in the Commission’s Order dated 19.02.2014 in Petition No. 57 of 2013 shall be operative for the term of the PPA. It has been inherently provided in clause 35(x) of the Order dated 19.02.2014 in petition no. 57 of 2013 whereby the said Standing Committee was constituted, that the quantum of shortfall is to be determined by it. The said Standing Committee has allowed the procurement of imported coal by NPL on previous two occasions after 16.03.2016 following the aforesaid inherent provision. However, it is further clarified that as the additional cost of coal to be procured is consequential to the determination of the quantum of shortfall, the ‘Standing Committee on NPL Project’ shall also**

be the final authority to decide the shortfall of domestic coal from CIL or its subsidiaries for operation of the plant in terms of PPA. The Standing Committee shall inter-alia meet at least once every quarter and more often, if required.

The Commission notes that Hon'ble APTEL disposed of the IA No. 1152 of 2017 in Appeal No. 68 of 2017 with the direction to the Commission to dispose of the application filed by NPL within a period of eight weeks from the date of presenting the application by NPL. Accordingly, NPL was required to file the application / petition in terms of the relief sought by it in the aforesaid IA No. 1152 of 2017 filed before Hon'ble APTEL. However, NPL in this petition has raised multiple issues beyond the relief sought in the aforesaid IA. The Commission has decided the present petition in terms of Hon'ble APTEL's Order dated 20.12.2017 in IA No. 1152 of 2017 in Appeal No. 68 of 2013 considering only the issues which were also raised in the aforesaid IA.

The petition is disposed of in terms of above.

Sd/-

(Anjuli Chandra)  
Member

Sd/-

(S.S. Sarna)  
Member

Sd/-

(Kusumjit Sidhu)  
Chairperson

Chandigarh

Dated: 06.03.2018