

**Before**  
**UTTARAKHAND ELECTRICITY REGULATORY COMMISSION**

**In the Matter of:**

**Hon'ble APTEL's Judgement dated 19.07.2024 on Appeal no. 215 of 2016 w.r.t. 'Denial of 50% of the excess IDC and 50% of price variation component of capital cost for MB-II project'.**

**And**

**In the Matter of:**

(1) UJVN Ltd.  
'UJJAWAL', Maharani Bagh,  
GMS Road, Dehradun

**...Respondent No. 1**

**&**

**In the Matter of:**

(2) Uttarakhand Power Corporation Ltd. (UPCL),  
Victoria Cross Vijeta Gabar Singh Urja Bhawan,  
Kanwali Road, Dehradun

**...Respondent No. 2**

**Coram**

<b>Shri M. L. Prasad</b>	<b>Member (Technical) /Chairman (I/c)</b>
<b>Shri Anurag Sharma</b>	<b>Member (Law)</b>

**Date of Hearing: September 26, 2024**

**Date of Order: September 26, 2024**

**ORDER**

Respondent No. 1 UJVN Ltd. submitted that it was unable to submit its application for time extension before Hon'ble APTEL as directed by the Commission in its earlier Order dated 17.09.2024.

The Commission took note of this and decided to continue the proceeding in the matter and asked Respondent No. 1 to make its submissions both on its application and in the matter.

Respondent No. 1 submitted that it has made an application/submission (in hard & soft copy) on 25.09.2024 to the Commission on the Expert Consultant's report dated 25.02.2015.

The Commission heard the parties on the above application/ submission and also on the aspect, on which the matter was remanded back by Hon'ble APTEL.

Respondent No. 2 re-iterated its submission, which has been made in its written submission dated 20.09.2024 and also stated that the present matter has been remanded back by the Hon'ble APTEL, as per its Judgement dated 19.07.2024 with the observation that scope of remand is confined to the specific issues submitted in UJVN Ltd.'s two letters dated 25.02.2015 and 30.03.2015. Therefore, any new submission of the Respondent No. 1 should not be considered as considering the same would amount to initiation of fresh proceeding, which is neither the intention of the Hon'ble APTEL nor can be the scope of remand.

UPCL, further submitted with regard to UJVN Ltd.'s contention that it has not received the Consultant's report dated 12.03.2015 before finalization of the Commission's decision on the Capital Cost of MB-II including Interest During Construction (IDC) and Price Variation (PV), that the matter could not be continued for perpetuity (never ending process) as ample opportunities had been given by the Commission to the Respondent No. 1 and moreover UJVN Ltd. while submitting letter dated 25.02.2015 never asked for opportunity to make further submission.

During the hearing, Respondent No. 1 stated that the submission made by it in the letter dated 30.03.2015 and through a recent letter dated 25.09.2024 are basically same, as were submitted earlier and no new evidence/documents have been submitted and UJVN Ltd. has only co-related the various activities more meaningfully so as to link the associated activities responsible for delay in systematic manner.

The Commission enquired from the Respondent No. 1 whether any opportunity during the process of scrutiny was given by the Consultant to it for substantiating its claim regarding IDC and PV, to which the Respondent No. 1 replied that during the analysis/scrutiny of the Capital Cost, three to four chances were given to it.

Heard the Parties in the matter.

Judgement reserved.

**(Anurag Sharma)**  
**Member (Law)**

**(M. L. Prasad)**  
**Member (Technical) /Chairman (I/c)**