

**Before**

**UTTARAKHAND ELECTRICITY REGULATORY COMMISSION**

**Misc. Application No. 16 of 2019**

**In the matter of:**

Application for adjudication of dispute between Beta Infratech Private Limited and UPCL in respect of termination of Power Purchase Agreement dated 01.03.2017 signed between Parties for Procurement of 107 MW of power on long term basis from 225 MW (ISO) Gas Based Combined Cycle Power Project in Village Mahuakhera Ganj, Kashipur, Distt. U.S. Nagar, Uttarakhand.

**In the matter of:**

M/s Beta Infratech Private Limited

... Petitioner

**AND**

**In the matter of:**

Uttarakhand Power Corporation Ltd.

... Respondent

**CORAM**

**Shri D.P. Gairola      Member (Law)**

**Shri M.K.Jain         Member (Technical)**

**Date of Hearing: October 22, 2019**

**Date of Order: October 22, 2019**

Heard the Petitioner and the Respondent in the matter.

The Petitioner submitted before the Commission that the current Member (Technical) of the Commission was part of the Committee formed by UPCL, when he was serving as Director (Projects) therein, which approved the termination of PPA between UPCL and M/s Beta Infratech Private Limited (hereinafter referred to as "M/s BIPL"), and therefore he should not be part of the bench hearing the current proceedings in the matter.

In this regard, the Commission directs the Petitioner to submit its written submissions in

the matter alongwith legal position within one week of the date of this Order with a copy to the Respondent. UPCL is directed to file its rejoinder on the same within a period of one week of receiving the comments from M/s BIPL.

Judgement reserved.

**(M.K. Jain)**  
**Member (Technical)**

**(D.P. Gairola)**  
**Member (Law)**