

# **TAMIL NADU ELECTRICITY REGULATORY COMMISSION**

(Constituted under Section 82 (1) of the Electricity Act 2003  
Central Act 36 of 2003)

## **PRESENT:-**

Thiru.S.Kabilan ... Chairman

Thiru.K.Venugopal ... Member

and

Thiru.S.Nagalsamy ... Member

## **M. P. No. 10 of 2011**

The Chairman cum Managing Director  
Tamil Nadu Generation and Distribution Corporation Ltd.,  
No. 144, Anna Salai,  
Chennai – 600 002

... Petitioner  
(Thirumathi. Kanimozhi Advocate for Petitioner)

Versus

Nil ... Respondent

**Date of hearing : 9-5-2011**

**Date of Order 9-5-2011**

The above petition was taken up for admission on 9-5-2011. Thirumathi. Kanimozhi, Advocate appeared for the petitioner. The Tamil Nadu Generation and Distribution Corporation Ltd., (TANGEDCO) has filed the above petition with a prayer to approve the deviation in Clause 5.19 of Annexure – II of Ministry of Power guidelines & RFP (clause 2.8.2) relating to time schedule for completion of the bid process. The present prayer is to

compress the time schedule to 40 days as against 120 days prescribed in the said guidelines.

The counsel for the petitioner contended that TANGEDCO has been deliberating on increasing the quantum of power purchase over a longer term. As the short term power purchase was going to end in May 2011, as an alternative, TANGEDCO decided to go in for medium term tender and therefore, to expedite the process, wanted reduction in the time schedule from 120 days to 40 days. After hearing the petitioner, the Commission passed the following:

### **ORDER**

The Commission permitted TNEB in its Order dated 3-12-2010 in M.P. No. 48 of 2010 to invite tenders for 450 MW pointing out the following lacunae in the tender documents:

- a) delivery schedule not indicated;
- b) criteria for evaluation of bid not furnished;
- c) upset price for acceptance of bid not decided in advance.

Pursuant to the order of the Commission dated 3-12-2010 the TANGEDCO did not take steps to float tender. If tenders had been floated on 03-12-2010, the 120 days time frame would have expired on 03-04-2011. Instead, the TNEB chose to file an application on 15-04-2011 proposing compression of time schedule from 120 days to 40 days.

The TANGEDCO did nothing for five long months and suddenly woke up on 15-04-2011 to propose compression of time schedule. The logic is intriguing.

The Commission does not want to be a party to the wayward behaviour of the TANGEDCO in accepting the compression of time schedule from 120 days to 40 days. Compression of time schedule would dilute the quantity and quality of bids. The petition for compression of time schedule is therefore rejected.

**(Sd.....)**  
**(S. Nagalsamy)**  
**Member**

**(Sd.....)**  
**(K.Venugopal)**  
**Member**

**(Sd.....)**  
**(S.Kabilan)**  
**Chairman**

**/ True Copy /**

**Secretary**  
**Tamil Nadu Electricity**  
**Regulatory Commission**