



## ASSAM ELECTRICITY REGULATORY COMMISSION

FILE NO. AERC. 401/2012/Pt-II

### ORDER SHEET

04.07.2013

The Commission received petitions for determination of ARR & Tariff from Assam Power Distribution Company Limited, Assam Electricity Grid Corporation Limited & Assam Power Generation Corporation Limited for FY 2013-14, 2014-15 & 2015-16. Accordingly, the Commission directed the 3 utilities to publish the petitions in abridged form as per Section 64(ii) of the Electricity Act, 2003, inviting objections by submitting in the form of affidavit. The objections received from the stakeholders were replied to by the utilities.

Thereafter, the Commission scheduled the hearing of the objectors on their objection petitions fixing 17<sup>th</sup> & 18<sup>th</sup> May, 2013 respectively. Accordingly, the hearing on 17<sup>th</sup> May, 2013 was held as scheduled. However, the hearing scheduled on 18<sup>th</sup> May, 2013 was adjourned due to persistent requests from the respondents seeking more time. The Commission issued an order on 18.05.2013 on this adjourned hearing.

The Commission rescheduled the adjourned hearing on 2<sup>nd</sup> & 3<sup>rd</sup> July, 2013 so that the objectors may make their oral submissions extensively. The Commission adopted this hearing procedure as a part of the process of tariff determination exercise to ensure transparency. However, a section of the objectors/respondents insisted that the hearing be held in open space on both days so that all people who desire to take part may participate & also that the media be allowed to cover the proceedings and did not allow to proceed for hearing.

The Commission stated that all the proceedings of the Commission are deemed to be judicial proceedings in terms of Section 95 of the Electricity Act, 2003 and therefore, the question of allowing media inside the hearing premises would not be appropriate neither as per the Electricity Act, 2003 nor as per the Regulations of AERC.

The Commission further clarified that the hearing is being held only on the response petitions filed under affidavit by individuals/organisations. The Commission appealed to the objectors/respondents to maintain faith in the Commission and allow to complete the proceedings with objective participation.

Some of the objectors/respondents refused to relent even after several requests from the Commission and created pandemonium inside the premises.

Thereafter, almost all the objectors/respondents present joined them in the hue & cry.

Being refused to cooperate in the hearing proceedings, the Commission had to stop further deliberations on both the days.

The Commission will decide future action in due course.

Sd/-  
(T. Chatterjee)  
Member, AERC

Sd/-  
(Dr. R. K. Gogoi)  
Member &  
Officiating Chairperson, AERC