ORISSA ELECTRICITY REGULATORY COMMISSION

BIDYUT NIYAMAK BHAWAN UNIT-VIII, BHUBANESWAR - 751 012

Shri B.K. Das, Chairperson Present:

> Shri S.K. Jena, Member Shri K.C. Badu, Member

CASE NO.30 & 35 OF 2008

M/s.CESU	 Petitioner
Vrs.	

CMD, OPTCL Sr. GM, SLDC, Executive Director, IFFCO Chief Elec. Inspector, EIC-cum-PCEI & CMD, GRIDCO

Respondents

Direction to SLDC, Bhubaneswar to allow In the matter of: inter-state open access to NVVNL for

interstate trading of surplus power of CESU.

AND

M/s.IFFCO **Petitioner**

Vrs.

CMD, OPTCL Advisor (Power Trading), CESU Chief Elec. Inspector, EIC-cum-PCEI, Sr. G.M., SLDC & CMD, GRIDCO

Respondents

Direction to OPTCL, Bhubaneswar to permit for In the matter of:

> synchronization of IFFCO CGP (2x55 MW) with OPTCL system for export of power up to 50 MW to CESU for

trading.

For the petitioners: Mr B. K. Nayak, Advocate & Mr. N.N. Mohapatra,

> Advisor(PT) for CESU and Mr. Sanjit Mohanty, Sr. Advocate, Mr. S.P. Sarangi and Mr. P.P. Mohanty, Advocates for IFFCO.

N. C. Panigrahi, Sr. Advocate, Mr. S.R. Panigrahi, For the respondents: Mr.

> Advocate for GRIDCO in both the cases, Mr. M.H. Khan, CEI(T&D), Govt. of Orissa, Mr. Sanjit Mohanty, Sr. Advocate, Mr. S.P. Sarangi and Mr. P.P. Mohanty, Advocates for Respodent No. 3 (IFFCO), Mr. J.P. Das, CGM (O&M), OPTCL and Mr. B.N. Mohapatra, SGM(PS), SLDC and Mr B.

K. Nayak, Advocate & Mr. N.N. Mohapatra, Advisor(PT) for Respondent No. 2 (CESU) in Case No. 35/08.

Date of Hearing: 22.11.2008 Dated of Order: 29.11.2008

ORDER

This case is taken up pursuant to Order dated 18.09.2008 in WPC No.11805 of 2008, Misc. Case No.10702 of 2008. In the said case, GRIDCO (Respondent No.5 herein) had challenged the Order dated 25.07.2008 of this Commission interalia on the ground that it had not been afforded an opportunity of being heard even though the said Order of the Commission allegedly affected it adversely.

- 2. The Court disposed of the writ petition setting aside the aforesaid order dated 25th July 2008 and remanded the matter to the OERC to take a fresh decision in the matter after affording opportunity of hearing all the parties to the Writ Application. The Hon'ble Court directed that the petitioner "may file certified copy of this order before the OERC by 30th September, 2008 and on receiving the certified copy of this order the OERC shall fix a date of hearing of the matter and issue notice to all the parties concerned and proceed with the matter in accordance with law so as to dispose of the same by the end of November, 2008." The Hon'ble Court further directed that the interim Order of the Hon'ble Court forbidding CESU from selling power to NTPC shall remain in force till disposal of this case.
- 3. The Commission on receipt of the certified copy of the order dt.18.09.08 fixed the date of hearing of the matter and issued notice to all the parties concerned to proceed with the matter in accordance with law so as to dispose of the same at the end of November, 2008. Accordingly, the date was fixed on 05.11.08 as recorded in the order dt.05.11.08. Sr. Advocate on behalf of GRIDCO stated that after remand of the case from the Hon'ble High Court, CESU has filed a petition before the Commission wherein it has added some new facts which are not maintainable under the law. If CESU wants to add any new fact and pleading to its original petition it can be done only with the permission of the Commission. CESU, on the other hand, admitted to have added some new facts in its petition dt.22.06.08 after taking into account the developments that has taken place in the mean time.
- 4. Since, the Hon'ble High Court had directed to dispose of the case by the end of November, 2008, the Commission directed CESU to file a consolidated petition on the same date stating the list of new facts and serve the copy of the same to the respondents. The respondents are directed to file their reply on or before 12.11.08 serving copy to the petitioner.
- 5. On 22.11.2008, the Commission first heard the petition for the amendment filed by CESU and the said petition is allowed.

Mr. B.K. Nayak, learned counsel for the petitioner (CESU) stated that by the order of OERC dtd.31.03.1999, issued license to CESCO (Now CESU) to carry out the business of distribution and retail supply in the area mentioned in its license. As CESU is the successor of CESCO with effect from 01.11.2006 to carry out the same business in that area as per the last proviso to Sec.14 of the Electricity Act, 2003, hereinafter referred as "the Act". CESU, a distribution licensee may trade electricity in its licensed area of operation and does not require any license to undertake trading of electricity. As per the application of CESU to the Commission for permission to undertake trading of surplus power of captive generating plants (CGPs) so as to generate some additional fund from the business of trading to liquidate its loan liabilities to GRIDCO and other financial institutions in that order, the OERC vide its letter No.806 dtd.17.04.2008 informed that there is no legal bar for it to undertake trading in electricity as a non-core activity and instructed that the profit that may accrue on account of trading the surplus electricity should be utilized to liquidate the past liabilities of CESU to GRIDCO and other financial institutions. It was further clarified therein that trading of electricity in no way should affect the core functions of CESU. Counsel also stated that the Commission through a consultative process and public hearing on 03.01.2008 issued the policy guidelines on harnessing of bottled up surplus power of the CGPs of the state of Orissa in its order dtd.14.03.2008 and at para 12.13 interalia stated that if the said surplus power is utilized for consumption by the state utilities, its price should not exceed cost of generation by more than 10% and price higher than that may be paid for such surplus power for the purpose of trading.

6. Based on the aforesaid order of the OERC, CESU approached IFFCO, Paradeep which has a CGP (2x55 MW) since 1998 having about 55 MW of surplus power to spare after consuming 45 MW for its own use. After long deliberation, IFFCO agreed to sell its surplus power in phases to CESU and signed the MOU on 19.05.2008 with CESU. As per the contract IFFCO is to sell its surplus power to CESU from June, 2008 to May, 2009 at its average cost of generation for 2007-08 (audited figure) at the rate 301 paise/Kwh are as follows:-

 June, 2008 to August, 2008
 5 MW

 September, 2008 to November, 2008 10 MW

 December, 2008 to February, 2009
 15 MW

 March, 2009 to May, 2009
 20 MW

CESU in turn has made an arrangement with NTPC Vidyut Vyapar Nigam Ltd. (NVVNL) which is a 100% subsidiary of NTPC as well as an inter-state trader for back to back sale of this contracted power through interstate open access. It placed LOI on NVVNL on 21.05.2008 and NVVNL accepted the terms of LOI of CESU on 23.05.2008.

7. Mr. Nayak further stated that CESU as a facilitator took up the matter with OPTCL and SLDC during May, 2008 for import of such contracted surplus power from IFFCO CGP (2x55) MW but both OPTCL and SLDC opined that IFFCO's CGP at Paradeep has not been synchronized with Orissa Grid, there is no 0.2 accuracy class ABT complaint Energy Meter installed and also

PLCC/SCADA has been provided for real time data monitoring by SLDC. For these things CESU discussed the matter with Director (Engg.), OPTCL on 26.05.2008 and as per his direction a team of officials visited the CGP control room of IFFCO and 132 KV switchyard on 27.05.2008 and found the following: -

The PLCC/SCADA connection between IFFCO and OPTCL was not fully commissioned. OPTCL agreed to test the PLCC/SCADA equipment with IFFCO and will intimate IFFCO for replacement of balance materials which may take six months. IFFCO intimated that they had already taken action for installation of 0.2 accuracy class ABT complaint meter. Pending installation of the same, the injection point shall be 132 KV Bus of Paradeep Grid Substation where 0.2 class accuracy ABT meter is already installed. On issue of synchronization of IFFCO CGP with OPTCL system, IFFCO informed that they had already injected upto 7.5 MW at the request of OPTCL in recent past i.e. from 23.05.2007 to 25.05.2007 – 7.5 MW and on 20.01.2008 – 6.0 MW. IFFCO also intimated that they have the islanding scheme with df/dt relay/under frequency relay/over frequency relay etc. Thereafter IFFCO and CESU pursued the matter with OPTCL, IFFCO deposited the required fee of Rs.35,000/- for conducting system study and obtained the system study report from OPTCL on 06.05.2008 comprising of power flow study, short circuit study, contingency study under steady state for export of 50 MW of surplus power from the CGP of IFFCO in 2008-09 with the following concluding remarks:-

The voltage profile at different buses is within the permissible limits, network is adequate and the system loss is 2.174%. Thereafter the IFFCO and CESU tried with OPTCL for permission of synchronization of IFFCO's CGP with OPTCL system furnishing all the requisite documents but OPTCL vide letter No.1839 dtd.28.06.2008 asked for further compliance of some of the points to consider synchronization of CGP of IFFCO by the following observations: -

IFFCO only submitted the annual inspection report of CEI (Gen) for the year 2007-08 and compliance report thereof. It should submit the annual inspection report for 2008-09 for TG and DG sets. It also submitted the consent order of the State Pollution Control Board, Orissa which is valid upto 31.03.2011.

There is mandatory provision for installation of PLCC/SCADA including distance protection with carrier inter tripping in case of CGP towards connectivity with OPTCL Grid. OPTCL advised IFFCO to request OERC to allow relaxation on the above subject as it has no scope to give relaxation to even temporarily on the strength of undertaking furnished by IFFCO to OPTCL. IFFCO also clarified the issues raised by the OPTCL that the CEI (Gen) has already inspected its CGP (2x55) MW at Paradeep on 19.06.2008 and has already issued the annual inspection report for 2008-09 on 02.07.2008. He also submitted the clearance certificate of State Pollution Control Board which is valid for a period of three years i.e. upto 31.03.2011.

8. Mr. Nayak further submitted that NVVNL again applied for concurrence from Orissa SLDC for trading of 5 MW of power from 06.07.2008 to 31.07.2008

during July, 2008 and Orissa SLDC did not accord concurrence on the ground that the CGP of IFFCO is yet to be synchronized with the OPTCL system. CESU as a facilitator filed an application under Clause 1.13 and 1.18 of Orissa Grid Code Regulation 2006 with the following prayer:-

- to allow IFFCO-Respondent No.III a period of six months time to purchase and install SCADA/PLCC equipments compatible to OPTCL system for real time data monitoring by SLDC based on the undertaking of IFFCO to OPTCL.
- to direct OPTCL Respondent No.I to issue permission for synchronization of IFFCO CGP (2x55) MW with OPTCL transmission network immediately based on System Studies Report and existing connectivity of IFFCO (CGP) with State grid as well as based on the undertaking furnished / to be furnished by IFFCO to install SCADA / PLCC equipments compatible to OPTCL system within six months.
- iii) to direct OPTCL Respondent No.1 to allow 0.2 accuracy class ABT Meter installed at 132/33 KV grid sub-station, Paradeep on 132 KV IFFCO Feeder as Billing Meter for export of power from IFFCO CGP (2x55) MW to CESU.
- iv) to direct SLDC Respondent No.II to issue the necessary concurrence for scheduling for trading of surplus power of CESU at OPTCL Periphery when applied by NVVNL/other traders and to issue standing clearance for trading upto 50 MW by CESU in Power Exchange.
- to direct Chief Electrical Inspector (Gen) Respondent No.IV to submit his specific views for / against synchronization of IFFCO CGP (2x55) MW with OPTCL system for export of power to CESU for trading.
- vi) to pass such order/orders as deem fit.
- 9. Mr. J.P. Das, CGM (O&M), OPTCL (Respondent No.1) stated that the CGP of IFFCO has been inspected by the Chief Electrical Inspector but not the connectivity arrangement along with the protection scheme thereof. The testing of the additional arrangement for connectivity has not been done as per IE rules. The dispute between OPTCL and IFFCO on the status of protection scheme of CGP of IFFCO, the standard testing laboratory (STL) which is under the control of the Chief Electrical Inspector, can be assigned as the third party. As per Sec.53(f) of the Act, the testing agency should be Electrical Inspector or any person authorized by Central Electricity Authority. Since M/s.AREVA is the manufacturer of the same relays and also service provider to IFFCO, it could not be accepted as a third party. The dispute between IFFCO and OPTCL on testing of relays should be resolved by any agency empowered as per the statutory provisions. Regarding synchronization of CGPs of IFFCO, earlier for some days the power supply was received from IFFCO in radial mode (isolated) to cater to some area loads under Paradeep Grid sub-station to meet the emergency situations when there was no power supply from OPTCL side. Otherwise, the areas would have remained without power supply for days together. Hence, at no point of time IFFCO's CGP were synchronized with OPTCL transmission system. He also stated that IFFCO requested the Commission to exempt upto 31.12.2008 from providing SCADA / PLCC equipment and sought direction to OPTCL to allow connectivity of its CGP. In this regard, he submits that no power plant shall qualify as a "Captive

Generating Plant" in case not less than 51% of the power generated in such plant determined on annual basis is consumed for the captive use. In the absence of SCADA and PLCC arrangement, this consumption of 51% cannot be monitored. Further, Orissa Grid Code does not designate any agency to monitor the status of CGP with regard to 51% consumption. So in the above circumstances, he prayed the Commission may kindly look into this aspect and would pass an appropriate order assigning the responsibility of monitoring the consumption of CGP to some agency.

- 10. Mr. N.C. Panigrahi, Sr. Advocate stated that CESU is not a distribution licensee nor any license has been granted to CESU u/s.14 of the Act and it is also not a deemed licensee under the last proviso of Sec.14 of the Act. It has been created in pursuance to the scheme framed by OERC on 09.06.2005 with effect from 01.04.2005 u/s.19 of the Act. Sec.3 (vi) of the scheme, however, postulates that CESU shall carry on business of distribution of electricity in accordance with the license conditions of CESCO which is already revoked. He submitted that to act in accordance with the license conditions does not confirm a license on CESU either in accordance with sections 12, 13 & 14 of the Act. No license has been granted to CESU nor CESU has a license under the provision of repealed laws or any other act specified in the schedule on or before the appointed date to be a deemed licensee. Though under Sec.21 of the Act, the license of the distribution company vests in the purchaser, such a condition is not envisaged in Sec.22 of the Act. The duty of CESU is only under the scheme is to distribute power supply to the consumers of the Central Zone and has no business to trade in electricity outside the state. It is just like a receiver /administrator to function within the scope and parameters of the scheme. In view of such legal position, the application filed by CESU and IFFCO to trade in electricity is absolutely misconceived and liable to be rejected.
- 11. Mr. Panigrahi also stated that in pursuance to the Govt. of Orissa, Dept. of Energy, Notification No. 6892 dtd. 09.06.2005, a Scheme was framed in exercise of powers conferred on the Govt. u/S 39,131,133 & 134 of the Act read with Sec. 23 & 24 of the OER Act, 1995 (Transfer transmission and related activities Scheme), 2005. Under Sec. 39 of the Act, one Govt. Company can not deal with transmission and trading in electricity. Therefore, by virtue of the Scheme w.e.f. 01.04.2005 the transmission business was bifurcated from GRIDCO and was vested in a new Govt. company called as OPTCL. The State Govt. as the policy maker laid down the functions of GRIDCO and OPTCL in the Scheme and para-4(2) of the Scheme provided that the trading undertaking shall continue to vest in the transferor i.e., GRIDCO and as per the Scheduled -B of the Scheme it is provided that GRIDCO will undertake only the bulk purchase and bulk supply activities but shall not undertake any transmission and related activities. Hence, prior to commencement of the Act GRIDCO had the bulk supply licence under the OER Act, 1995 which became deemed licensee for bulk supply and trading under the first 5th proviso of Sec. 14 of the Act. He also stated that Sec. 108 of the Act, provides that in the discharge of its functions, the Commission shall be guided by such directions in matter of policy involving public interest as the State Govt. may give to in writing. It is stated that the State Govt. vide its resolution dtd. 17.08.2006, which provides that GRIDCO will be the State

Designed Entity for execution of PPAs with the developers generating energy like hydro power, wind power, power from agriculture waste etc along with thermal power. As per the resolution GRIDCO is the sole state designed entity purchasing power from all sources generated within the State. Being a policy direction of the State, the Commission statutorily obliged to follow up the directions of the Govt.

- 12. Mr. Panigrahi also cited the judgment of the Hon'ble High Court in WP(C) No. 165 of 2006(OCA & another Vrs. OERC & others) in favour of his argument during the hearing that OERC took the definite stand in paras 4,5,6,7,8,11,13,14 & 18 that Orissa follows the single-buyer model system and in the existing setup, GRIDCO is the sole authorised company to trade in electricity in the entire State of Orissa. Distribution company have no right to directly purchase power from OPGC or any generating company. This being an affidavit filed by the OERC in the Hon'ble High Court and the Commission is bound by the stand taken by it since in the meantime, there is no change of the single-buyer system and the multi-buyer system has not been adopted yet in the State.
- 13. As per Notification dtd. 08.08.2008 the State has also in its policy decision, has decided that the nominated agency is only authorised to purchase power from existing IPPs and right to enter MoU with them. So IFFCO will come within the definition of IPPs and nominated agency stated in this resolution refers to only GRIDCO and non else. Paragraph(B) of the resolution further provides that MoU of IPPs already executed may be reviewed and said review or modification has to be done by GRIDCO and IPPs on mutual consent. He also stated that CESU has filed its counter affidavit before the Hon'ble High Court in WP(C) No. 11805 of 2008 relied on the resolution in its favour. But it is strange that while relying on the Notification dtd. 08.08.08 in the Hon'ble High Court, now before the Commission, it takes a stand that the aforesaid notification of the State Govt. is illegal and not be relied upon. As the 'Singlebuyer model' still prevails in the State and therefore under the present legal frame work GRIDCO was entitled to carry on its trading function which includes purchase of power from generators and sale of power in bulk to distribution companies. Continuation of single-buyer model in Orissa is in the interest of the consumer of the State. As per the provision stipulated in the Act, DISTCOMs may directly purchase power from the generating companies in a competitive manner to meet their demand within the area of their supply. So according to the sprit of the Act any surplus power to their credit may be treated and the benefits accrued out of such sale shall be extended to the consumers. However, no such activity takes place in the State by DISTCOMs and GRIDCO is performing the above function for the State. For the above purpose, share of Orissa from different generating stations need to be apportioned among the DISTCOMs and the liabilities to the generating stations shall be met by them and at present these transactions are being carried out by GRIDCO satisfactorily, therefore the applications of the CESU & IFFCO to trade in electricity is also liable to be rejected.
- 14. Mr. Sanjit Mohanty, Sr. Counsel appearing for IFFCO stated that IFFCO has the right of open access and it can sell its surplus power of 49% to any body it likes and unless its application is allowed right guaranteed to him under

Articles 19 of the Constitution of India will be violated. He pointed out that the Govt. policy dt.08.08.2008 is applicable for :-

- (A) For future IPPs who have not signed MOUs
- (B) Review of PPA with IPP who have already signed MOUs
- (C) For establishment of U.M.P.P.

IFFCO does not fall into any of the aforesaid categories. Besides the policy does not make any mention of CGPs nor the said policy guideline is applicable to captive generating plants.

- 15. He contends that the policy guideline of the State Govt. is not applicable for IFFCO. He also stated as per tripartite MOU dtd.27.05.2008 IFFCO applied to CGM(O&M), OPTCL on 28.05.2008 along with the requisite documents with a request to accrued permission for synchronization of IFFCO CGP (2x65 MW) with the State grid since connectivity of IFFCO with OPTCL already exists. He prayed to the Commission to direct OPTCL to allow 6 months time for installing of SCADA/ PLCC equipment compatible to OPTCL system for real time monitoring of IFFCO CGP (2x55 MW) by SLDC and synchronize the CGP of IFFCO with OPTCL system immediately so as to export the contracted power to CESU and further direct OPTCL to allow 0.2 accuracy class ABT meter install at 132/133KV grid S/s, Paradeep on 132KV IFFCO feeder as Billing Meter for export of power from IFFCO's CGP.
- 16. Mr. M.H. Khan, CEI(T&B), Govt. of Orissa stated that the submission of the Govt. is similar to the submission made by GRIDCO.
- 17. After hearing the parties and perusal of the case records, we conclude that the Commission have taken cognizance of the arguments and counter arguments made by the petitioner and respondents. The petitioner's objective is to secure a consent of the Commission to the activity of trading by a distribution licensee invoking the provisions of Section 14 which provides that the Distribution licensee shall not require a license for trading. This has been challenged by GRIDCO to the effect that CESU has not been granted a licence and cannot claim for trading of power. The 9th proviso to Section 14 of the Act runs thus:

"Provided also that a distribution licensee shall not require a license to undertake trading in electricity"

The intent of the provision is that a distribution licensee carrying on the distribution business can engage in trading business without a further licence therefor. That is to say, a distributor is automatically a trader of electricity, subject, of course, to the provision of Section 51 of the Act. It does not appear that the distribution business of CESU shall in any way subsidize the trading business of CESU. On the other hand, the trading business may supplement the income of CESU and thereby better enable CESU to discharge its liability to GRIDCO.

18. A purposive interpretation should be given to the term "distribution licensee" in the 9th proviso to section 14 of the Act. CESU has been created by and is functioning under a Scheme framed by the Commission under section 22(1) of the Act and it has been provided in the Scheme that the licence granted to CESCO shall be applicable to CESU. It would be some what hyper technical

to suggest that the 9th proviso of Section 14 of the Act debars a distributor from trading in electricity if the distributor has not been "granted" a licence under section 14 of the Act, even though it carries on distribution business in accordance with the licence granted to its predecessor. The 9th proviso to Section 14 of the Act is an enabling provision and not a debarring provision. It is intended to subserve in the interest of the consumer by enabling the distributor to supplement its income within the constraints in Section 51 of the Act.

- 19. The Commission holds the view that a Scheme framed under Section 22 of the Electricity Act, 2003 intended to protect the interest of the consumers and also it empowers the Commission to Act in a manner keeping the provisions of the Act in view. Section 12 of the Act provides that no person shall distribute electricity without a licence unless otherwise exempted under Section 13 of the Act. Thus, while entrusting the responsibility or management of the Utility, the Commission for the purpose of distribution of electricity, cannot allow it to do so, without a licence as it involves safety, security of life and are for use of public roads etc. Hence, the CESU by virtue of the Commission's order is a licensee for distribution of power in the erstwhile licensed area of CESCO. As CESU is a licensee, conditions of the last proviso to Section 14 is applicable to CESU as well.
- 20. The thrust of the argument of GRIDCO is that the State follows a single buyer model in the form of GRIDCO. The Commission fully subscribes to that view. It must be understood that this single buyer model is meant for buying of power for meeting the demands of the State. Any procurement in excess of the State's requirement meant for trading can undergo a process of competition keeping in view the objectives set out in the Act for encouraging development of the market which will help release of bottled up generation capacity about which so much of noise is heard from several quarters including those outside the State.
- 21. The GRIDCO has raised a very valid objection that permitted revenue gap left by the Commission is intended to be bridged by trading of surplus power in a fully legal manner as an intra-state trader. GRIDCO can as well have access to the IEX that clears the stigma that Orissa prevents flow of power outside the State. It is a desirable and welcome move as long as GRIDCO does not restrict flow of power to the consumers of Orissa with the sole intention of bridging the revenue gap. The State's Hydro potential is precariously low this year even through there was a severe flood this year.
- 22. On the other hand CESU too caries the liabilities of the past. As a legally entitled entity it can competitively trade power and earn resources to liquidate the liability of GRIDCO. It is in the interest of both GIRDCO and CESU. The profit earned from trading is being utilized to liquidate the past liabilities of GRIDCO created due to its distribution business. This method can also be applied to the CESU while determining its ARR.
- 23. The third point must be made clear that the quoted govt. policy does not include a C.G.P. Hence we make it very clear that during a period of shortage

of power, the State's requirement shall be met first and neither GRIDCO nor CESU shall indulge in any kind of trading even as an intra-state trader.

24. With these observations we reiterate the view that the CESU is legally entitled under the provisions of Electricity Act, 2003 to trade power but it shall not be at the cost of consumers by resorting to load shedding.

In case of a shortage situation, power purchased from the CGPs shall be utilized by both GRIDCO and CESU to maintain continuity of power supply to the consumers of the state of Orissa and to prevent load shedding.

CGPs can be paid remunerative price as per the pricing policy approved by the Commission so as to encourage CGPs to make full utilization of their capacity to produce power to meet the present and future growing demand.

Surpluses generated from trading shall be fully utilized by CESU to liquidate its liability of GRIDCO.

For synchronization with OPTCL system all arrangement to be completed both by IFFCO & OPTCL by 31.12.2008 and synchronized thereafter.

This disposes of the petition Numbers 30 & 35 of 2008.

The Hon'ble High Court may be informed appropriately.

Sd/- Sd/- Sd/- (K. C. BADU) (S. K. JENA) (B. K. DAS)
Member Member Chairperson