Petroleum and Natural Gas Regulatory Board

In the matter of

GAIL (India) Ltd. ..........Complainant/Respondent

-Vs-

1. GVK Industries Ltd Phase II
2. GVK Gautami Power Ltd .......... Opposite Party / Complainant

For Opposite Party/Complainants (s): Mr. Eraz Zafar Advocate for GVK

For Complainant/Respondent: Mr. Dinesh Agnani Senior Counsel with Ms. Leena Tuteja Adv. Mr. Pankaj Bhagat and Ms. Nikita Ved for GAIL

15.04.2014

Order

The matter has been heard.

Ld. Counsel for GAIL (India) Ltd. at the very inception submitted that there has been a considerable change in the circumstances as the C.T. Delivery Point / C.T. Re-delivery Point and MDQ has been amended to ‘zero’ with effect from 1.5.2013 and this decision would lead to significant change in the liability. Ld. Counsel further informed that the process of implementation of the said decision is in progress and he needs a fortnight’s time to furnish updated status before the Board.

However, Ld. Counsel conceded the fact the outstanding amount towards the Opposite Party / Complainant was NIL on 12.4.2013.
Ld. Counsel was also required to clarify that as to whether the invoices towards ship or pay obligation were raised by GAIL (India) Ltd. in accordance of Schedule ‘A’ of the Model GTA Guidelines but this query could not be instantly responded.

Ld. Counsel for the Opposite Party / Complainant requested that he needs 10 days time to react on the information / submission as would be furnished by GAIL (India) Ltd.

In view of above, GAIL (India) Ltd. is granted 15 days time to submit the updated status in the light of reduction of MDQ to ‘zero’ w.e.f. 1.5.2013 with additional information that the invoices were raised by it or not as per Schedule ‘A’ of the Model GTA Guidelines.

A copy of the said information shall be made available by the Ld. Counsel for GAIL (India) Ltd. to the Ld. Counsel for Opposite Party / Complainant who shall react thereon within 10 days from the date of its receipt.

The matter be put up for further orders / hearing on 15.5.2014 at 4.00 pm.

(S.Krishnan)  (P.K.Bishnoi)  (Subhash Chandra)  (Dr. B.Mohanty)
Chairperson  Member(PKB)  Member(Legal)  Member(BM)