

**BEFORE THE HIMACHAL PRADESH ELECTRICITY REGULATORY
COMMISSION, SHIMLA**

In the matter of :

M/s Sri Rama Steels Ltd.,
Village Barotiwala,
Teh. Baddi, District Solan (H.P.)

... Petitioner

V/s

The H.P. State Electricity Board Ltd.
through its Executive Director (Pers),
Kumar House, Shimla-171004 (H.P)

... Respondent

Petition No. 98 / 2013

(Decided on **2nd December, 2013**)

**CORAM
SUBHASH C. NEGI
CHAIRMAN**

Counsel:-

for the petitioner : Sh. P.C. Dewan, Advocate,

for the respondent Sh. Ramesh Chauhan
(Authorised representative)

ORDER

(Last heard on 19.11.2013 and Orders reserved)

M/s Sri Rama Steels Ltd., Barotiwala, Tehsil Baddi, Distt Solan (H.P) (hereinafter referred as “the petitioner”), who is a large supply consumer, manufacturing steel ingots and getting supply at 132 KV from 132 KV Barotiwala sub-station of the HPSEB Ltd (hereinafter referred as ”the respondent Board”), has moved this petition under section 142 of the Electricity Act, 2003, alleging that the respondent Board is not complying with the Standards of Performance specified by this Commission vide Part-II item 2 Clause (J) (i) of the Schedule appended of the HPERC (Distribution Performance Standards) Regulations, 2010

2. According to the petitioner the respondent Board has not accepted the request of the applicant dated 8.3.2013 for reduction of the contract demand, within the statutory period of 30 days, and is wrongly stating that the petitioner's request for reduction of Contract Demand, would be considered only after the petitioner clears its dues. The reduction of Contract Demand and the payments of dues are two separate issues and these cannot be clubbed together. Apart from this the petitioner has already requested the respondent Board to adjust the said dues out of the security deposit, amounting to Rs. 2,21,28,000/-, lying with the respondent Board and also other payments, which the respondents are liable to pay to the petitioner.

3. During the course of the admission hearing of this petition held on 31.8.2013, representative of the respondent Board, as per his verbal submissions, offered to relook the whole issue afresh and to submit the status report in the matter.

4. On 21.9.2013, when the matter again came up for hearing, the petitioner stated that despite the assurance given by the respondent, to relook the issue afresh, the respondent Board has issued the PDCO on 07.09.2013, without issuing revised bill and making adjustments out of the security deposit and out of other amounts chargeable from the respondent Board.

5. Er. Dheeraj Mittal, the Superintending Engineer (OP) Circle, HPSEBL, Solan submits that:-

“the matter has been relooked into afresh and necessary action has been taken and conveyed to the petitioner, i.e. M/S Sri. Rama Steels Ltd. The application for reduction in Contract Demand from 10214 KVA to 250 KVA has been accepted and the sanction for the revised

Contract Demand has been accorded for reduction of Contract Demand from 10214 KVA to 250 KVA with effect from 10.4.2013 upto 30.6.2013 and 5107 KVA, with effect from 1.7.2013 i.e. 50% of 10214 KVA. The bills have been accordingly revised indicating the adjustment of Advance Security Deposits. The amount payable by the petitioner after all adjustments is Rs. 4,96,09,890/- (Rupees Four crore ninety-six lakh, nine thousand, eight hundred and ninety only) which stands conveyed to the petitioner also by the AEE, ESD Barotiwala. vide No. BESE/M/S Sri Rama Steels Ltd./2013-14-2793-94 dated 12.11.2013. The statement with effect from November, 2009, till August, 2013, is attached as Annexure R-I.”

The above statement is supported by an affidavit.

6. The petitioner still asserts that the revised bills do not depict the correct position and solicits for further instructions to the respondent Board to settle the remaining part of the dispute.

7. In response the respondent Board submits that the part of the dispute, which remains to be settled, is purely a billing dispute, and as such does not fall within the purview of this Commission. However, the respondent Board is still ready to sit with the petitioner to settle the difference in calculations, if any.

In light of the above submissions made on behalf of the respondent Board, this case is closed with the instructions to the petitioner to report to the Executive Engineer, Baddi to sort out the difference in calculations, if any.

The petition is disposed of accordingly.

(Subhash C. Negi)
Chairman.