

JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION

RANCHI

FORM OF PROCEEDING

Case No.13 of 2006-07.

M/s Atibir Hi-Tech Pvt. Ltd. Petitioner

Versus

Damodar Valley Corporation & another Respondents

4

15.3.2007

Mr. M.S. Mittal submitted that he is not appearing in this case from the side of DVC. So his name may be deleted from the cause title of the case. Prayer is allowed.

Mrs Sheela Prasad, Advocate and Mr. M.K. Bajla, Sr. Advocate appeared from the side of petitioner M/s Atibir Hi-Tech Private Limited Gridih.

Mr. S.B Garodia, senior Advocate appeared from the side of the DVC.

It is submitted by the learned counsel for the petitioner that the D.V.C. is not filing tariff petition before this Commission for fixation of its distribution tariff and is enhancing fuel cost surcharge which it cannot do without approval of this Commission. It is the case of the petitioner that the D.V.C. has enhanced fuel cost surcharge @ Rs.85.74 ps per unit from April 2006 to September 2006 and from October 2006 onwards @ Rs. 87.74 ps. Per unit and accordingly a demand of Rs.70,59,679/- has been raised being the difference of actual amount billed for 9 months ending December 2006. It is submitted that the DVC cannot raise any bill on the enhanced fuel cost surcharge without getting the same approved by the State Regulatory Commission.

The learned Counsel for the petitioner submitted that a direction may be issued to the DVC not to raise this bill because the approval of this Commission has not been obtained.

Mr. Garodia submitted that today he is not ready because reply has not been submitted from the side of the DVC. Therefore, one short adjournment may be granted. He agreed that in the meantime no coercive step for non-payment of impugned amount bill will be taken from the side of the DVC. In view of his submission, the case is adjourned and fixed for hearing on 28/03/2007 at 12.30 A.M. In the meantime as agreed, the DVC will not take any coercive step against the

petitioner for non-payment of the impugned amount.

Sd/-

Member (Legal)

Sd/-

Member (Tech)

Sd/-

Chairman