

JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION

RANCHI

FORM OF PROCEEDING

Case No.11 of 2006-07.

M/s Shivam Iron & Steel Co. (P) 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.

Mrs Sheela Prasad, Advocate and Mr. M.K. Bajaj senior Advocate appeared from the side of petitioner M/S Shivam Iron & Steel Company Private Limited, Giridih.

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

Mr. Bajla, the learned Advocate for the petitioner submitted that the DVC is no filing distribution tariff petition in this Commission and on the other hand, is going on enhancing fuel cost surcharge without maintaining transparency. The DVC has sent letter no. 3497 dated 18/01/2007 communicating the petitioner, rate of fuel cost surcharge from April 2006 to September 2006 and the final rate has arrived at paisa 85.74 per unit and the provisional claim from October, 2006 would be at 87.74 paisa per unit including the adhoc amount of 2 paisa per unit and accordingly a demand of Rs. 1,23,91048/- 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 enhancing 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 11.30 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/-	Sd/-	Sd/-
Member (Legal)	Member (Tech)	Chairman