

Jharkhand State Electricity Regulatory Commission, Ranchi
Form of Proceedings
Case No. 01 of 2012

M/s Rishi Cement Company Limited. Petitioner
 Versus
 Jharkhand State Electricity Board & Ors Respondents

For the petitioner : Mr. Biren Poddar, Sr. Advocate and
 Mr. Deepak Sinha and Mr. Piyush Poddar, Advocates
 For the Respondents : Mr. Amit Sinha, Advocate

Sl.No	Date of Proceeding	Proceeding of the Commission with signature	Office action taken with date
1	2	3	4
09	20.09.2016	In this application the petitioner has sought modification of the order dated 19.7.2016 whereby the petitioner's prayer for temporary electricity connection was allowed on petitioner's depositing Rs. 2,00,000/- (Rupees Two lakhs only) for a period of nine months for the purpose of maintenance work. The modification has been sought on the ground that the petitioner had deposited Rs.5,00,000/- (Rupees Five lakhs only) earlier for reconnection of HT connection. However, there has been no reconnection till date and that amount of Rs.5 lakhs (Rupees Five lakhs only) is lying with the respondents. It has been stated that the petitioner-company is suffering from acute financial crisis and it is not possible for it to deposit Rs. Two lakhs as directed by the order dated 19.7.2016. The petitioner, in view thereof, wants that Rs. Two lakhs may be used and deposited for the purpose of compliance of the term of the order dated 19.7.2016.	

Mr. Biren Poddar, learned senior counsel appearing on behalf of the petitioner submitted that for reconnection of HT line the petitioner had to deposit Rupees Ten lakhs and out of that Rs.Five lakhs was deposited on 8.12.2012. Therefore, in the event of adjustment of Rs. Two lakhs for temporary electrical connection, the petitioner shall deposit Rs. Seven lakhs for reconnection of HT line.

Learned counsel for the respondents has submitted that though deposit of Rs. Five lakhs by the petitioner is admitted, the said amount was for different purpose i.e. for reconnection of HT line and by order dated 19.7.2016 the petitioner was directed to deposit Rs.Two lakhs for temporary electrical connection and as such adjustment of Rs. Two lakhs out of the said deposit amount of Rs. Five lakhs is not desirable.

We have heard learned counsels and considered the facts and circumstances of the case. It is admitted position that the petitioner had earlier deposited Rs. Five lakhs as was directed by this Commission for reconnection of HT line. It is also an admitted position that the said amount is still lying in the hands of the respondents and the same has not been used as HT line of the petitioner is yet to be reconnected.

Learned senior counsel appearing on behalf of the petitioner submitted that the petitioner is reeling under acute financial crisis and the industry requires

maintenance urgently and in that circumstances the amount of Rs.Two lakhs required to be adjusted for the purpose of temporary electrical connection out of the money already lying in the hands of the respondents in compliance of the term of order dated 19.7.2016.

Having considered the said submissions and facts and circumstances, it is directed that the respondents shall adjust the amount of Rs. Two lakhs out of the amount of Rs. Five lakhs lying in the hands of the respondents, treating the same deposit in compliance of the order dated 19.7.2016 and give temporary electricity connection for the purpose as mentioned in the said order within two weeks from today.

Order dated 29.9.2012 prescribing deposit of Rs. Ten lakhs in two installments of Rs. Five lakhs each stands modified to the extent that the petitioner shall now deposit Rs. Seven lakhs as balance of the second installment for reconnection of the HT line in terms of the said order.

It is made clear that the respondents shall be at liberty to raise bill for energy consumption after temporary connection as per the prescribed tariff.

Put up on 28.9.2016 at 2.30 PM for hearing in the matter of appointment of Chartered Accountant, as prayed for by the parties.

Sd/-
Member (E)

Sd/-
Chairperson