

JOINT ELECTRICITY REGULATORY COMMISSION
FOR THE STATE OF GOA AND UNION TERRITORIES
GURGAON

Quorum

Mrs. Neerja Mathur, Member

Petition No. 174/2015

Date of Hearing: 17.11.2016

In the matter of:

Complaint under Section 142 of the Electricity Act, 2003 read with Regulation 70 of the Joint Electricity Regulatory Commission for the State of Goa and Union Territories (Conduct of Business) Regulations, 2009

And in the matter of:

M/s Suryachakra Power Corporation Ltd.,
Suryachakra House, Plot No. 304-L-III, Road No. 78,
Film Nagar, Jubilee Hills,
Hyderabad – 500096.

..... Petitioner

And in the matter of

1. Electricity Department,
Andaman & Nicobar Administration,
Vidyut Bhawan,
Port Blair – 744101.

.....Respondent (1)

2. The Chief Secretary,
Andaman & Nicobar Administration,
Secretariat,
Port Blair, Andaman & Nicobar Islands.

.....Respondent (2)

Present

For the Petitioner

1. Dr. S.M. Manepalli, Managing Director
2. Shri V.L. Narasimha Rao, CFO
3. Shri Vijay Kumar Kapalker, Executive Director
4. Shri Mukund P. Unny, Advocate

For the Respondent

1. Shri Uttam Kumar Paul, Superintending Engineer, A&N
2. Ms. Ruchi Sindhwani, Advocate, Electricity Department, A&N
3. Ms. Megha Bharava, Advocate, Electricity Department, A&N
4. Shri Arvind Tewari, Consultant, Electricity Department, A&N

Consultant for the Commission

Shri Kunal Singhal, Associate Director - PWC

ORDER

The Commission heard the Petitioner and the Respondent. Shri Mukund P. Unny, Learned Counsel for the Petitioner submitted that the Hon'ble Supreme Court has vide its Order dated 18.10.2016 determined the project cost at Rs 74.96 crore and directed the Commission to complete the adjudication proceedings pending before it within 6 weeks positively from the date of the Order.

Learned Counsel further submitted that a supplementary invoice for Rs 98.86 crore based on the Hon'ble Supreme Court Order dated 18.10.2016 has already been raised against the Electricity Department, Andaman & Nicobar Administration, for payment.

Learned Counsel prayed for immediate release of Rs 15 crore as an interim relief for major overhaul of the D.G. sets of the power plant for maintaining uninterrupted full power supply to the consumers of the Andaman & Nicobar Islands, and for making long pending payments to various creditors viz JBF Industries, SBI Global Factors etc.

Ms. Ruchi Sindhwani, Learned Counsel for the Respondent disputed the claim by the Petitioner and informed that as per the calculations made by the Department, it is in fact the Petitioner who is liable to pay the excess amount to the Department. However, the Learned Counsel informed that the calculations were put up to the competent authority for approval and hence requested the Commission to grant 7 days time to file its reply along with relevant documents.

The Commission directed the Petitioner to submit the certified true copies of all their invoices, supplementary invoices, debit/credit notes and any correspondence with respect to their claims as submitted to the Electricity Department, Andaman & Nicobar Islands to substantiate their total claim. In addition to the above, the Petitioner was further directed to submit the bank statements of relevant periods as an evidence for the payments received by them from the Electricity Department, Andaman & Nicobar Islands towards their claim.

In response to a specific query of the Commission, the Petitioner confirmed that all the cheques received towards the payment of dues from the Electricity Department, Andaman & Nicobar Islands were deposited with only one bank with whom they have an escrow account.

The Commission directed the Petitioner to submit all the above mentioned documents positively by 21.11.2016 (F/n).

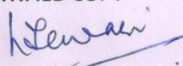
The Commission directed the Respondent to submit the reply along with the documentary evidence for deductions, if any, from the claims/invoices submitted by the Petitioner along with details of deductions, release of payments, receipts obtained from the Petitioner towards the payments released and the cheque details positively by 21.11.2016 (F/n).

The matter is listed for further hearing on 24.11.2016 at 11.00 A.M..

Ordered accordingly.

Sd/-
(NEERJA MATHUR)
MEMBER

CERTIFIED COPY


(KEERTI TEWARI)
SECRETARY

कीर्ति तिवारी/Keerti Tewari
सचिव/Secretary
संयुक्त विद्युत विनियामक आयोग
Joint Electricity Regulatory Commission
गोवा राज्य और राज् चित्त क्षेत्र
For the State of Goa & Union Territories
पुस्तिका निकाश, 2nd Floor, Haveli Vihar, Phase-V
Bandra/Gandhinagar, 401 004, Mumbai