

No. N/122/2019

BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION,

No.16, C-1, Millers Tank Bed Area, Vasanth Nagar, Bengaluru-560 052.

Dated: 11.10.2021

Present

Shri Shambhu Dayal Meena	: Chairman
Shri H.M. Manjunatha	: Member
Shri M.D. Ravi	: Member

Complaint No.03/2019

BETWEEN:

M/s Shree Cement Limited,
SB-187, Fourth Floor,
Bapu Nagar, Opp. Rajasthan University,
J.L.N. Marg,
Jaipur-302 015.
(Through its Authorised Signatory
Mr. Amarjit Singh)

... COMPLAINANT

AND:

Gulbarga Electricity Supply Company Limited,
Station Main Road,
Kalaburagi-585 101.
(Represented by its Managing Director)

... RESPONDENT

[Respondent represented by Sri S. Sriranga,
Ms. Sumana Naganand & Ms. Medha M. Puranik,
Advocates of M/s Justlaw Advocates)

ORDERS

1. The Complainant M/s Shree Cement Limited, has filed this complaint under Section 142 of the Electricity Act 2003, for non-compliance of Article 6.1.3 of Wheeling & Banking Agreement (W&BA) dated 05.07.2018 executed

between KPTCL, GESCOM on one hand and the complainant on the other. The grievance of the complainant is that the respondent (GESCOM) had claimed excess amount of Rs.93,24,000 in respect of the Wheeling & Banking transactions for the months of November & December 2018 and February 2019. Therefore, the complainant has prayed for imposing penalty against the respondent (GESCOM) as provided under Section 142 of the Electricity Act, 2003.

2. The respondent (GESCOM) appeared through counsel and filed Memo dated 29.09.2021 before this Commission. In the Memo it was stated that the respondent by inadvertence had levied excess demand charges on the complainant for the months of November & December 2018 and February 2019 without giving credit for the energy wheeled by the complainant pursuant to W&BA dated 05.07.2018. It is also stated that the excess amount recovered amounting to a sum of Rs.93,24,000 was adjusted in the months of June 2020 & April 2021 invoices. Therefore, it is stated that having refunded the excess claim towards demand charges the present proceedings may be closed. The Memo was signed by the learned counsel for the respondent (GESCOM) but not by the party. Therefore, the Commission suggested to file the affidavit of the concerned officer of the respondent (GESCOM). Accordingly, the affidavit dated 01.10.2021 of the Chief Engineer (Electy), Operations, Corporate Office of GESCOM was filed before this Commission on 04.10.2021.

3. Sri Amarjit Singh, who is the authorised signatory of the petitioner and who has been attending the present proceedings has not disputed the settlement of the claim as urged by the respondent (GESCOM).

4. For the above reasons, we pass the following:

ORDER

The complaint is dismissed.

sd/-
(SHAMBHU DAYAL MEENA)
Chairman

sd/-
(H.M. MANJUNATHA)
Member

sd/-
(M.D. RAVI)
Member