

Sub: In the matter of adjudication of disputes u/s 86(1)(f) of the Electricity Act, 2003 for demand of outstanding bills along with interest and surcharge and for permission for third party/captive use of electrical energy generated from the Wind Electric Generators

ORDER

(Date of hearing: 29th March,2016)

(Date of order: 31st March,2016)

M/s Shriji Polymers (India) Ltd.,
15-D, Industrial Area,
Maksi Road, District Ujjain (M.P.)

- Petitioner

Vs

M.P. Power Management Co. Ltd.,
Block No. 11, 3rd Floor, Shakti Bhawan,
Rampur, Jabalpur- 482008

- Respondent

Shri Ankit Vyas, Authorised representative of the Company appeared on behalf of the petitioner.

Shri Manoj Dubey, Advisor (Law) appeared on behalf of the respondent.

2. The petitioner, M/s Shriji Polymers (India) Ltd., Ujjain has filed this petition seeking adjudication of disputes u/s 86(1)(f) of the Electricity Act, 2003 for demand of outstanding bills along with interest and surcharge and for permission for third party/captive use of electrical energy generated from the Wind Electric Generators. The case was listed for motion hearing on 08.03.2016.

3. During the motion hearing on 08.03.2016, the petitioner restated the contents of the petition. The Commission admitted the petition for hearing and directed the respondent to file reply by 24.03.2016. The case was listed for hearing on 29.03.2016. The reply was filed by the respondent through e-mail on 26.03.2016.

4. During the hearing on 29.03.2016, the petitioner stated that the respondent is not making payment of the outstanding bills and, therefore, permission may be granted for captive use of the electricity generated from its WEGs. The respondent submitted that any of the invoices of the petitioner is not disputed and the balance payment of the petitioner would be made soon. In its written submissions, the respondent requested the Commission to grant some time to make payments of outstanding invoices of the petitioner.

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5. Having heard the petitioner and the respondent and on considering their written submissions, the Commission has noted that the respondent is neither disputing any of the invoices of the petitioner nor making timely payment to the petitioner in accordance with the terms and conditions of the Power Purchase Agreement/ tariff order dated 14.05.2010. The respondent has not submitted any time schedule by which the outstanding amount of the bills shall be paid to the petitioner. The Commission, therefore, directs the respondent to make the payment of the outstanding bills to the petitioner in terms of the provisions of the tariff order/ PPA. The Commission also directs that the petitioner, at its liberty, may go for captive use/third party sale after following necessary procedure.

6. With the above directions, the petition no. 03 of 2016 stands disposed of.

Ordered accordingly.

(Alok Gupta)
Member

(Dr. Dev Raj Birdi)
Chairman