



KERALA STATE ELECTRICITY BOARD LTD.

(Incorporated under the Companies Act, 1956)

CIN : U40100KL2011SGC027424

Reg. Office: Vydyuthi Bhavanam, Pattom, Thiruvananthapuram – 695 004, Kerala



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Abstract

M/s. Prince Rolling (P) Ltd. (LCN 27/3251) & Prince Alloys (P) Ltd. (LCN 27/3252) amount remitted - judgment dated 23.10.2018 in WA No.1699/2016 - Request for Refund – Sanctioned – Orders issued.

B.O. (FTD) No.293/2023 (SOR/AMU 6/HTB 27/3251 & 27/3252 /2023-24)

Dated, Thiruvananthapuram, 07/06/2023.

- Read:-
- (1) Judgment dated 08.03.2016 in OP No.17297/1998 filed by Prince Rolling (P) Ltd. & Prince Alloys (P) Ltd, before the Hon'ble High Court of Kerala.
 - (2) B.O. D(D&S) No.1247/2016 (LAW I/HT/WPC No.17297/1998) dated 23.04.2016.
 - (3) Note No.SOR/AMU/HTB-27/3251A&27/352-A/2018-19 dated 29.01.2019 to the Legal Adviser & Disciplinary Enquiry Officer, KSEBL.
 - (4) Request dated 26.03.2021 of M/s Prince Rollings (P) Ltd. & Prince Alloys (P) Ltd.
 - (5) Note No.SOR/AMUVI/HTB 27/3251 & 27/3252/2022-23 dated 30.06.2022 to the Director (Finance).
 - (6) Audit note No.CIA /SOR Audit /2022-23/369 dated 29.10.2022.
 - (7) Note No.SOR/AMU6/LCN 27/3251&3252/2022-23 dated 26.11.2022 of the Special Officer (Revenue).
 - (8) Note No.SOR/AMU 6/HTB 27/3251 & 27/3252/2022-23 dated 17.04.2023 of the Special Officer (Revenue) submitted to the Full Time Directors (Agenda Item No.37/5/23)

ORDER

M/s. Prince Rolling (P) Ltd (LCN -27/3251) & Prince Alloys (P) Ltd. (LCN 27/3252), were HT consumers under KSEB with contract demand 1950 KVA each. The consumers filed OP No.7537/1997 before the Hon'ble High Court of Kerala for getting Pre-92 concessional tariff to their industries. In accordance with the final judgment dated 17.03.1998 in OP No.7537/1997, the consumers were granted Pre-92 concessional tariff.

An intimation was given to the consumers to remit the arrears for the period from 12/1996 to 07/1998. But the consumers filed OP No.17297/98 against the same and they raised objection against the calculation of base average. They

obtained a conditional stay order and the consumers remitted Rs.3 lakh each on 11.09.1998. The Hon'ble High Court of Kerala as per judgment read as 1st above directed that the Board is bound to calculate the power consumed by the petitioners from 09/1997 to 12/1997 by taking into account the percentage of the power allocated during that period to the petitioners taking into account the base average at 250 units per KVA and in terms of the proportionate quantity of power allocated during the said period and in such circumstances the bills raised by KSEBL were quashed. Based on the Board Order read 2nd above, KSEBL filed WA No.1699/2016 against the above judgement.

The Hon'ble High Court of Kerala vide Judgment dated 23.10.2018 dismissed the WA No.1699/2016 filed by the KSEBL against the judgment dated 08.03.2016 in OP No.17297/1998. The consumers vide letter dated 01.01.2019 requested to issue fresh bills for the period 09/1997 to 12/1997 based on the judgment in WA No.1699/2016. The matter was submitted to LA & DEO vide Note read as 7th above for remarks. The consumer vide letters read as 4th above requested for the refund of the amount remitted against the arrears based on the judgment dated 23.10.2018 in WA No.1699/2016.

The LA & DEO vide note dated 19.05.2021 informed that the compliance of the judgment was issued vide Board Order dated 02.11.2019. If the bills for the period 09/1997 to 12/1997 of the two consumers are revised based on the judgment in OP No.17297/1998 & Board Order dated 02.11.2019, the refundable amount to the consumers having LCN Nos.27/3251 & 27/3252 come to Rs.10,41,949/- & Rs.15,32,190/- respectively. There is no system arrears (adjust open credit) against the dismantled consumers having LCN Nos.27/3251 & 27/3252.

Since the matter is an old issue the Chief Internal Auditor has audited the file as per the order of the Director (Finance), KSEBL and found that the calculation is in order.

The matter was placed before the Full Time Directors as per note read 8th above and sanction is hereby accorded for the refund of excess amount of Rs.10,41,949/- and Rs.15,32,190/- on the revision of bills from 09/1997 to 12/1997 or adjust the excess amount against the current charge of existing consumers having LCN Nos.27/3251 (A) & LCN 27/3252 (A) respectively in compliance with

the judgment dated 23.10.2018 in WA No.1699/2016 filed by the Kerala State Electricity Board Limited against the judgment in OP. No.17297/1998 and Board Order dated 02.11.2019

Orders are issued accordingly.

By Order of the Full Time Directors,

Sd/-
LEKHA G.
COMPANY SECRETARY

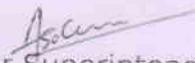
To

M/s. Prince Rollings Pvt.Ltd. & Prince Alloys Pvt .Ltd.
Anappuramkadu, Kinassery P.O, Palakkad-678701.

Copy to:-

1. The Financial Adviser/The Chief Internal Auditor/Company Secretary.
2. The Deputy Chief Engineer, Electrical Circle, Kannur.
3. The T.A. to Chairman & Managing Director/ Director (Generation-Civil)/ Director (Distn., Safety, SCM & IT)/ Director (Trans., System Operation & , Planning)/ Director (Generation, Electrical, REES, SOURA, Sports & Welfare).
4. The P.A. to Director (Finance & HRM).
5. The Senior C.A. to Secretary (Administration).
6. The Special Officer (Revenue).
7. Library/Stock file.

Forwarded / By Order


Senior Superintendent

