

# Before the Meghalaya State Electricity Regulatory Commission Shillong

Case Number 9A/2017of 2018

In the matter of:

Petition for Separate Tariff Categorisation for Ferro Alloy Industries for FY 2018-19

AND

In the matter of Byrnihat Industries Association

Coram

Shri WMS Pariat, IAS (Retd), Chairman

Date of Order: 05/12/18

ORDER

In pursuance to the order dated 22/11/18, seen application filed on behalf of MePCL stating therein that bills for the Ferro Alloy industries for the month of October 2018 have been served inadvertently with the tariff of IHT/EHT consumers and that these bills, which had been wrongly issued to the Petitioners for the month of October 2018 had been recalled and that the said bills had been issued under inadvertent error .

Heard Mr. K. Paul, Advocate for the Petitioners who submits that a communication has been received by the Petitioners from the MePDCL recalling the bills for the month of October 2018. He further submits however, that even though the erroneous bills of October 2018 had been recalled, fresh bills under the revised tariff order have not been issued by the Respondent MePDCL in compliance of the order dated 22/11/18 passed by this Commission. Also heard Mr. S. Saraogi, Advocate for MePDCL who submits that he has no further instructions other than what is stated in the application dated 29/11/18 .

It may be recalled that this Commission vide order dated 22/11/18, while taking cognizance of the willful disobedience of this Commission's orders dated 10/9/18 and 14/11/18 by the MePDCL and other Respondent, this Commission had vide order dated 22/11/18 on motion by the Petitioners , issued notice to the Respondents to show cause on or before the 28/11/18 as to why action under section 142 and /or Sec 146 of the Electricity Act 2003 be not taken . Further, in the same order dated 22/11/18, the Commission had also passed specific directions that "**the Bills for the month of October 2018 in respect of the respective petitioners be amended/corrected/modified in consonance with the orders of this Commission dated 10/9/18 and 14/11/18 within a**

**period of 3 (three days) from today by the respondents , under intimation to the Commission"**

Today being the next date of hearing, it was expected that MePDCL would have acted in compliance of the aforesaid directions , not only to recall the bills but also to issue revised bills under the revised tariff for Ferro Alloys Industries, which admittedly has not been done. It is most disheartening to note that inspite of this very serious matter being a proceeding of contempt under section 142 and 146 of the Electricity Act 2003, the officials of MePDCL who in all proceedings till date had remained personally present , have now wilfully chosen to remain absent and that too without having effectively complied with the directions passed by this Commission.

Be that as it may, since the bills for the month of October 2018 have been recalled by MePDCL , it was required that the bills as per the revised tariff order of the Commission , dated 10/9/18 should also have been presented to the petitioners simultaneously .

Today the MePDCL has filed a petition, through its advocate requesting for adjournment by one week in order to enable them to file a show cause. Hence, conceding to the request for adjournment made by MePDCL, further hearing of this matter is adjourned to 13/12/2018 on which date the Respondents are directed to remain present before this Commission with reply to the show cause notice , and also with proof of issue of the revised bills.

Fix 13/12/ 2018 for appearance and compliance.

Sd/-

(WMS Pariat)

Chairman,

Meghalaya State Electricity Regulatory Commission