



KERALA STATE ELECTRICITY BOARD LIMITED

(Incorporated under the Companies Act, 1956)

Reg. Office: Vidyuthi Bhavanam; Pattom, Thiruvananthapuram – 695 004

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Abstract

Regularization of connected load without change in contract demand in favour of Fr. Sebastian, Kalapurackal, Director, M/s. Little Flower Hospital, Angamaly under Electrical Section, Angamaly- Sanctioned – Orders issued

CORPORATE OFFICE (SBU-D)

B.O.(FTD) No. 540/2020 (D(D&IT)/D-2/SOP/0005/2020-21) Dated, Thiruvananthapuram, 20.08. 2020

- Read: 1. Letter No. ECP/T1/HT/Little Flower Hospital/2020-21/186 dated 04.05.2020 of the Deputy Chief Engineer, Electrical Circle, Perumbavoor
2. Letter No SOR/AMU.7/HTB.27/2765/2020-21/134 dated 06.06.2020 of the Special Officer (Revenue)
3. Letter No. LAW III/10733/2010 dated 26.06.2020 of the Senior Law Officer
4. GO(Rt) No. 208/2010/PD dated 31.08.2010
5. Note No D(D,IT &HRM))/ D2/SOP/0005/20-21/249 dated 22.07.2020 of the Director (Distribution, IT & HRM) to the Director(Finance)
6. Note No D(D,IT &HRM))/ D2/SOP/0005/20-21 dated 05.08.2020 of the Director (Distribution, IT & HRM) to the Full Time Directors (Agenda No. 35/8/20)

ORDER

M/s. Little Flower Hospital, Angamaly is an HT consumer (HTB No.27/2765) under Electrical Section Angamaly under Electrical Circle, Perumbavoor. The Deputy Chief Engineer, Electrical Circle, Perumbavoor, as per letter read as 1st above, has forwarded a request of Fr. Sebastian Kalapurackal, Director of M/s. Little Flower Hospital, Angamaly, to regularize their connected load wherein they are having pending arrear amount, towards Electricity duty, for realization.

The Special Officer (Revenue), as per letter read as 2nd above, has informed that an amount of Rs.2,16,92,621 is outstanding towards duty arrear for the subject consumer, from 05/2011 onwards. M/s. Little Flower Hospital was under HT IV Commercial Tariff upto 30.04.2013. The Electricity duty of HT IV consumers are collected @ 10% of energy charges from 08/2010. Against this the consumer filed WP(C) No. 34912/2010 before the Hon'ble High Court of Kerala. In the interim order dated 22.11.2010, the Hon'ble Court permitted the petitioner to remit the Electricity duty @ 10 Ps/ unit, till the disposal of WP(C). The consumer is remitting Electricity duty based on the

interim Court order. The final verdict of the Hon'ble High Court on the above writ petition is pending.

The Senior Law Officer, as per letter read as 3rd above, has informed that the above writ petition was filed by the petitioner against the demand for electricity duty @ 10% of the electricity charges, discontinuing the earlier practice of assessing duty @ 10ps/unit, on the emergence of the GO dated 31.08.2010, read 4th above. But the Hon'ble High Court of Kerala allowed an interim stay against the enhanced duty and directed the Board to continue with the earlier practice. As the interim order is still prevailing, the assessment of duty could only continue @ 10 ps/ unit and any excess, if calculated and kept as arrear is of no consequence. The Enhancement of connected load or contract demand which is otherwise eligible, can't be impeded or denied citing this assumed arrear. Any such denial could tantamount to deficiency in service and coercive action as against the spirit of the interim order.

The Deputy Chief Engineer, Electrical Circle, Perumbavoor has already forwarded a letter to the consumer to submit an undertaking in stamp paper stating that they shall remit the amount subject to the final judgement from the Hon'ble High Court.

As per note read as 5th above, the matter was submitted to the Director (Finance) for a direction, wherein it was directed to place the matter before the Full time Directors.

Accordingly, the matter was placed before the Full Time Directors as per note read as 6th above.

Having considered the matter in detail, the Full Time Directors in the meeting held on 12.08.2020, resolved to accord sanction to the Deputy Chief Engineer, Electrical Circle, Perumbavoor, to proceed with the regularization of connected load of M/s. Little Flower Hospital, Angamaly after obtaining an undertaking in stamp Paper from the consumer stating that they shall remit the pending arrear amount subject to the final judgement from the Hon'ble High Court of Kerala.

Further resolved that the Law Section shall take immediate action to vacate the interim stay since the case is pending since 2010.

Orders are issued accordingly.

By Order of Full Time Directors,
Sd/-
Lekha G.
Company Secretary (In charge)

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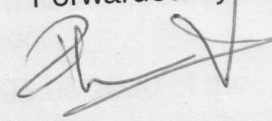
To

The Deputy Chief Engineer, Electrical Circle, Perumbavoor
The Special Officer (Revenue)

Copy to:

The Chief Engineer (Distribution Central), Ernakulam
The Chief Engineer (IT&CR)
The Financial Adviser/The Chief Internal Auditor
The RCAO/The RAO/The LLO
The TA to Chairman & Managing Director
The TA to Director (Distribution, IT & HRM / Transmission, System Operation & Safety
/ Generation-Electrical & Supply Chain Management / Generation-Civil)
The PA to Director (Finance)/ Senior CA to Secretary (Administration)
The Fair Copy Superintendent/Library/Stock File

Forwarded/By Order



Assistant Executive Engineer