

WEST BENGAL ELECTRICITY REGULATORY COMMISSION

WEST BENGAL

Petition No. OA-349/20-21

Date of hearing: 29th July, 2021

Time of hearing: 14.30 hours

Quorum:

Shri Sutirtha Bhattacharya, Chairperson

Shri Durgadas Goswami, Member

Shri Pulak Kumar Tewari, Member

In the matter of

Application by Ultratech Cement Limited seeking intervention of the Commission in regard to release of NOC by WBSEDCL for wheeling of 7.425 MW and 10.00 MW of power by Ultratech Cement Limited from their captive power plant at Bhatapara - Baloda Bazar, Chhattisgarh to their works at Dankuni, West Bengal and Raghunathganj, District: Murshidabad, West Bengal, respectively.

And

In the matter of

Ultratech Cement Limited
Dankuni Cement Works
JL-80, Viii. Panchghara P.O.: Panchghara Bazar
P.S. Chanditala
Dist. Hooghly, West Bengal
PIN 712 306

Ultratech Cement Limited
(Sonar Bangla Cement Works)
Vill: Dhalo, P.O. Gankar, P.S. Raghunathganj
Dist. Murshidabad, West Bengal,
PIN: 742 227

Petitioner

And

State Load Despatch Centre
West Bengal State Electricity Transmission Company Limited
Andul Road
Danish Sheikh Lane
Howrah 711109.

Respondent



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And

West Bengal State Electricity Distribution Company Limited
Vidyut Bhavan
Block DJ, Sector – II
Salt Lake City
Kolkata 700 091.

Respondent

Representatives attended:

Ultratech Cement Limited, Dankuni Cement Works, Dankuni (Petitioner)

1. Om Narayan Rai, Advocate
2. Sri Pankaj Gupta

Ultratech Cement Limited, Sonar Bangla Cement Works, Raghunathganj, Murshidabad (Petitioner)

3. Bhavesh Wala

West Bengal State Electricity Distribution Company Limited (WBSEDCL) [Respondent]

1. Sri Shiv Shankar Banerjee, Advocate
2. Sri Rajiv Nandan Sinha, Addl. C.E.

State Load Despatch Centre, West Bengal State Electricity Transmission Company Limited (WBSETCL) [Respondent]

1. Sri D. Bhattacharyya, ACE
2. Sri Soumen Kumar Mondal, DE

The petitions of Ultratech Cement Limited, Dankuni Cement Works at Dankuni and Sonar Bangla Cement Works at Raghunathganj, Murshidabad for wheeling of 7.425 MW and 10.00 MW of power by Ultratech Cement Limited from their captive power plant at Bhatapara - Baloda Bazar, Chhattisgarh to their works at Dankuni, West Bengal and Raghunathganj, District: Murshidabad, West Bengal, respectively were heard by the Commission on 29th July, 2021 as scheduled.

During the last hearing held on 17th March, 2021 it was directed by the Commission that –

- a) Ultratech Cement Limited shall submit an affidavit to the Commission satisfying fulfilment of the conditions as specified in rule 3 of the Electricity Rules, 2005 with proper documents/evidences within two weeks from the date of receipt of the order, with a copy to WBSEDCL;
- b) Upon receipt of the affidavit, the next date of hearing will be fixed.

Accordingly, M/s Ultratech Cement Limited have submitted their affidavit along with documents / evidences duly notified in dummy papers with a copy to WBSEDCL.

SUBMISSION DURING HEARING

At the outset, the Commission expressed observation regarding submission of defective affidavit by M/s Ultratech Cement Limited, as the said affidavit was not sworn in a requisite Non-judicial stamp paper required as per provision of the Regulations of the Commission.



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The Ld. Advocate of M/s Ultratech Cement Limited submitted that they were not aware that the affidavit has to be sworn in a stamp paper. However, it is a curable defect and they will rectify it.

The Ld. Advocate on behalf of WBSEDCL submitted that while M/s Ultratech Cement Limited will submit the rectified affidavit, they may mention very clearly that the Ultratech Cement Plants at Dankuni and Raghunathganj have twenty six percent ownership of the captive generating plant at Chhattisgarh and 51% of the aggregate electricity generated on annual basis in the captive plant is consumed by captive user. The Ld. Advocate further submitted that they need at least 15 days' time to submit reply, if any, to the rectified affidavit to be submitted by M/s Ultratech Cement Limited.

ORDER

Upon hearing, the Commission directed that –

- 1) M/s Ultratech Cement Limited shall submit their affidavit duly sworn in a Non-judicial stamp paper of requisite value within 7 days from the date of receipt of this order with a copy to WBSEDCL;
- 2) WBSEDCL shall submit their reply, if any, to the affidavit of M/s Ultratech Cement Limited, to the Commission within 14 days from the date of receipt of the affidavit from M/s Ultratech Cement Limited with a copy to the petitioner;
- 3) Upon receipt of the above, the next date of hearing will be fixed.

Sd/-
(PULAK KUMAR TEWARI)
MEMBER

Sd/-
(DURGADAS GOSWAMI)
MEMBER

Sd/-
(SUTIRTHA BHATTACHARYA)
CHAIRPERSON

Date: 09.08.2021

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Secretary