

Before the Appellate Tribunal for Electricity
(Appellate Jurisdiction)

Appeal No. 3 of 2006

Dated: 12th July, 2006

Present: Hon'ble Mr. Justice Anil Dev Singh, Chairperson
Hon'ble Mr. A.A. Khan, Technical Member

Himachal Pradesh State Electricity Board ...Appellant

V/s.

Himachal Pradesh Electricity Regulatory Commission ...Respondent

Counsel for the Appellant: Mr. M.G. Ramachandran

Counsel for the Respondent: Mr. Ranjit Kumar &
Ms. Binu Tamta

ORDER

The appellant has filed an affidavit on July 11, 2006. In the affidavit, It is *interalia* stated that after commissioning of the Larji Project, the Himachal Pradesh State Electricity Board will investigate into the facts leading to the cost and time over-run of the said project, based on all the materials and relevant facts available. It is further averred that the Himachal Pradesh State Electricity Board on examination of the cost and time over-run, if it finds any person responsible for any deliberate act of commission or omission in the discharge of his functions concerning execution of the above project leading to the cost over-run or time

over-run, the Himachal Pradesh State Electricity Board will proceed in the matter against such person in accordance with law.

The purpose of the appeal and the directions of the Commission are substantially met by the aforesaid statement made in the affidavit of the appellant dated July 11, 2006. The Himachal Pradesh State Electricity Board, while examining the cost and time over-run of the project and while fixing responsibility for the delay in execution of the project, shall examine the report of the Committee appointed by the Himachal Pradesh Electricity Regulatory Commission by its order dated March 24, 2005. This shall be without prejudice to the right of the Himachal Pradesh State Electricity Board to come to a conclusion of its own with regard to the escalated cost and time over-run of the project and identify the person or persons responsible for any deliberate act of commission or omission in the discharge of their functions concerning execution of the Larji Project. The action taken report shall be filed by the appellant before the Commission. We would like to clarify that the Commission is totally justified in going into all the questions, which have impact on the tariff of the utility.

Having regard to the statements made in the affidavit of the appellant, dated July 11, 2006, and with the aforesaid observations, the appeal is disposed of. The parties have consented to this order.

(Mr. A. A. Khan)
Technical Member

(Mr. Justice Anil Dev Singh)
Chairperson

Date: 12th July, 2006