

**Central Electricity Regulatory Commission  
New Delhi**

**RECORD OF PROCEEDINGS**

**Petition No. 15/2010**

Subject: Outstanding dues from KSEB towards income tax reimbursement-Seeking Commission's intervention and direction to KSEB to clear income -tax dues.

Date of Hearing: 25.1.2011

Coram: Shri V.S.Verma, Member  
Shri M.Deena Dayalan, Member

Petitioner: Neyveli Lignite Corporation Ltd, Chennai

Respondent: Kerala State Electricity Board, Thiruvananthapuram

Parties present: Shri N.A.K.Sarma, Advocate, NLC  
Shri K.Nambirajan, NLC  
Shri Nitin Rai, Advocate, KSEB  
Shri G.Sreenivasan, KSEB

The learned counsel for the petitioner submitted as under:

- (a) In terms of the earlier direction of the Commission, the respondent has filed its reply and the petitioner its rejoinder, to the said reply.
- (b) The additional submissions dated 18.12.2010 filed by the respondent was belatedly served on the petitioner.
- (c) The respondent has not specifically indicated the documents/information which are/is required from the petitioner. Even otherwise, the petitioner has submitted all documents/clarifications in the matter and served copies of the same to the respondent and no further documents were required for determination of the amounts payable by the respondent.
- (d) The respondent, under the guise of requiring further information cannot conduct a roving inquiry into the activities undertaken by the petitioner, since the claims made in the petition was based on the provisions of the regulations specified by the Commission.
- (e) The respondent cannot be allowed to delay the proceedings under such flimsy grounds.

2. The learned counsel for the respondent submitted that certain additional details were required by the respondent in order to determine the eligibility of the

petitioner for reimbursement of income-tax dues and it was for this reason the additional submissions were filed.

3. On being pointed out by the Commission that the respondent has not specifically indicated its requirements from the petitioner, the learned counsel for the respondent prayed that it may be granted some time to identify the requirements and make known the same to the petitioner.

4. The prayer of the respondent was accepted. The respondent is directed to inform the petitioner, the specific details/documents required in the matter, within 4.2.2011 and the petitioner is directed to submit the same on affidavit, with copy to the respondent, within 21.2.2011.

5. The petition shall be listed for hearing on 24.2.2011.

Sd/-  
Dr.N.C.Mahapatra  
Chief Advisor (Law)