

FORM 1
[See Regulation 24(3)]

General Heading for petitions

BEFORE THE KERALA STATE ELECTRICITY REGULATORY COMMISSION

Petition No:

(To be filled by the Office, if number has not earlier been assigned)

In the matter of (Gist of purpose of petition or application)

: To allow 15 % of Price Preference and 50 % of Purchase Preference as per the G.O.(Rt) No.5382/2020/Fin issued by Government of Kerala on 18.09.2020 against KSEB Tender No. KSEB/SCM/ eP14 /2020-21 dated 30.05.2020 for the supply of distribution transformers of various ratings of 100 KVA (2225 Nos), 160 KVA (478 Nos) & 250 KVA (76 Nos) worth nearly Rs.44 Crores.

Name(S) and full address (ES) of Petitioner(S)/Applicant(S)

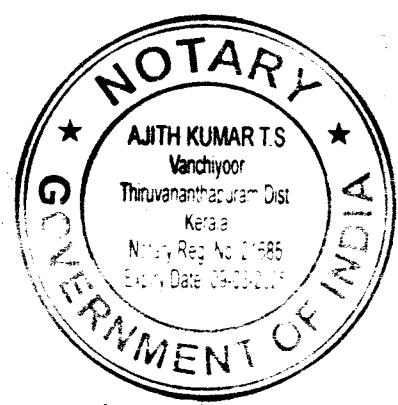
: Adv. Varkala B Ravikumar,
Chairman,
Kerala Electrical and Allied Engineering Co Ltd, 7th Floor, Housing Board Office Complex, Panampilly Nagar, Kochi 682036

Name(S) and full address(es) of respondent(s)

: Kerala State Electricity Board limited (KSEB Ltd)
Vydyuthi Bhavanam, Pattom, Thiruvananthapuram-695004

Party identified by me
Adv. V.R. Swaminathan
Chairman

AJITH KUMAR T.S.
ADVOCATE & NOTARY
KERALA STATE
GOVT. OF INDIA



NOTORIAL REGISTER PARTICULARS
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Date 14/12/20

FORM 2
[See Regulation 24(5)]
BEFORE THE KERALA STATE ELECTRICITY REGULATORY COMMISSION

Petitioner No:
(To be filled by the Office, if number has not earlier been assigned)

In the matter of (Gist of purpose of petition or application) : To allow 15 % of Price Preference and 50 % of Purchase Preference as per the G.O.(Rt) No.5382/2020/Fin issued by Government of Kerala on 18.09.2020 against KSEB Tender No. KSEB/SCM/ eP14 /2020-21 dated 30.05.2020 for the supply of distribution transformers of various ratings of 100 KVA (2225 Nos), 160 KVA (478 Nos) & 250 KVA (76 Nos) worth nearly Rs.44 Crores.

Name(S) and full address (ES) of Petitioner(S) : Adv. Varkala B Ravikumar,
Chairman.
Kerala Electrical and Allied Engineering Co Ltd,7th Floor, Housing Board Office Complex,
Panampilly Nagar, Kochi 682036

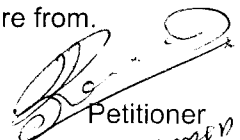
Name(S) and full address(es) of respondent(s) : Kerala State Electricity Board limited (KSEB Ltd)
Vydyuthi Bhavanam, Pattom, Thiruvananthapuram-695004

Affidavit verifying the petition (Specify nature of petition) : Miscellaneous

I am Adv. Varkala B. Ravikumar son of late Sri. Bhanu, aged 68 years residing at sarada Kurakkani, Varkala P.O Thiruvananthapuram-695141 do solemnly affirm and state as follows :

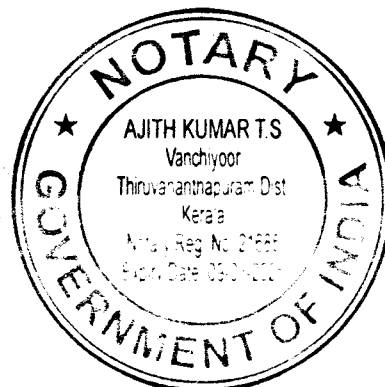
1. I am the Chairman of M/s. Kerala Electrical & Allied Engineering Company Limited, the petitioner in the above matter.
2. The statements made in paragraphs 1 to 11 of the petition herein now shown to me and marked with the letter "A" are true to my knowledge and the statements made in paragraphs 1 to 11 are based on information received and I believe them to be true.

Solemnly affirmed on this the 14th day of December 2020 that the contents of the above affidavit are true to my knowledge, no part of it is false and nothing material has been concealed there from.


Petitioner
Chairman

Identified before me

AJITH KUMAR T.S.
ADVOCATE & NOTARY
KERALA STATE
GOVT. OF INDIA



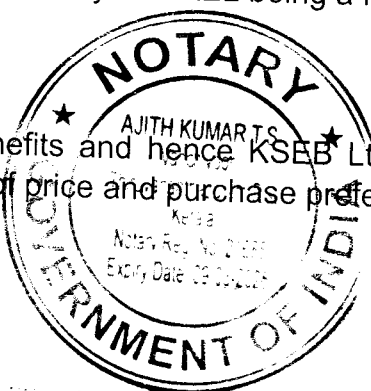
14.12.2020

PETITION

1. Petitioner is KEL, a PSU wholly owned by Govt. of Kerala, was established in 1968 at Mamala exclusively for the supply of transformers to KSEB Ltd and have been supplying quality transformers to KSEB Ltd to meet urgent requirement since inception. KEL is very much depended on the yearly procurement of transformers by KSEB Ltd.
2. In order to protect and support the PSUs under the state, the Government of Kerala on 18.09.2020, has issued G.O.(Rt)No.5382/2020/Fin whereby giving preference to state PSUs to obtain Orders from KSEB Ltd. As per the GO, the applicable price preference is up to 15 % over & above the L1 price and purchase preference is 50 %. But, KSEB Ltd is not able to extend the price & purchase preferences to KEL till now.
3. KEL also holds a valid MSME Udyog Aadhaar registration.
4. Our neighbouring state, Karnataka has declined placing orders on KEL this year to support their state owned PSUs on account of COVID 19 pandemic. The paucity of orders thus emerged has critically affected our very existence.
5. KSEB Ltd has floated a tender no. KSEB/SCM/ eP14 /2020-21 dated 30.05.2020 for the purchase of distribution transformers of various ratings of 100 KVA (2225 Nos) , 160 KVA (478 Nos) & 250 kVA (76 Nos) worth nearly Rs.44 Crores.
6. The price bid of this tender was opened on 03.12.2020.
7. Out of the three capacities of distribution transformers tendered, KEL turned out be the lowest bidder for 160 KVA. For the other two ratings viz., 100 KVA & 250 KVA the price quoted by KEL is well within the eligible price preference of 15 % of the Lowest quoted firms. It may please be noted that more than 65% of the total tendered value is for the transformers of ratings 100 KVA and 250 KVA. Besides, KSEB Ltd has issued a letter no. SCM/XD/AEEI/e P14/2020-21 /4846 dated 07.12.2020 to match the price of Lowest quoted bidder (Copy enclosed).
8. At this juncture, considering the present situation in view of COVID 19 outbreak across the country and KEL being a PSU having entitled to have

MSME benefits and hence KSEB Ltd is liable to implement the said GO (copy enclosed) of price and purchase preferences to KEL for the above tender.

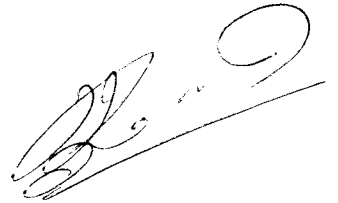
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9. Hence, it is humbly prayed that this Hon'able Commission may please issue necessary directions to KSEB Ltd to implement the above GO no. G.O.(Rt)No.5382/2020/Fin dated 18.09.2020 with respect to all tenders including tender no. KSEB/SCM/ eP14 /2020-21 dated 30.05.2020 for the supply of distribution transformers of various ratings of 100 KVA (2225 Nos), 160 KVA (478 Nos) & 250 kVA (76 Nos) worth nearly Rs.44 Crores and future tenders issued by KSEB Ltd.
10. It is also humbly prayed that this Hon'able Commission may please issue necessary directions to the KSEB Ltd to finalise the tenders only after considering the GO no. G.O.(Rt)No.5382/2020/Fin dated 18.09.2020.
11. It is stated that the KSEB Ltd is hastily proceeding to finalise the tender without considering the above stated GO dtd 18.09.2020 and the same will cause irreparable loss to the petitioner who is a State Government owned PSU. Hence it is humbly prayed that in the interest of justice this Hon' able Commission may be pleased to post the matter for hearing to a very near date as urgent orders are very much necessary in the above case.

Dated this the 14th day December 2020.



Petitioner: **Chairman,**
Kerala Electrical and Allied Engineering Co Ltd.,
7th Floor, Housing Board Office Complex,
Panampilly Nagar,
Kochi 682036

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