

**JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
RANCHI**

Suo-Motu Case No. **12** of **2011**

Shri **Mukhtiar Singh**, Chairperson
Shri **T. Munikrishnaiah**, Member

Dated: 26th March 2011

ORDER

Counsel as Amicus Curie	:	Shri Apresh K. Singh, Advocate
Counsel for the Commission	:	Shri Sudarshan Shrivastava, Advocate
For the JSEB	:	Shri Rajesh Shankar, Advocate Shri Abhay Prakash, Advocate Shri S.C. Mishra, Chief Engineer, JSEB Shri Y.P. Yadav, CE (Generation), JSEB Shri C.L. Roy, SE (Elec), JSEB Shri S.K. Sinha, EE (Elec), JSEB Shri K.R. Sinha, EEE, JSEB Shri P.N. Singh, AEE, JSEB Shri S. Mandal of HCL Shri S. Dey of HCL Shri R. Samaddar, ITC Shri S. Bhattacharjee, ITC.

On the last date of hearing the JSEB had undertaken to submit a report on T&D losses reflecting voltage-wise and feeder-wise actual losses along with the T&D losses of major cities/towns and Divisional Headquarters. The representative of the JSEB has filed mere a statement of facts, which is not in the prescribed format. The JSEB is directed to file all petitions/reply/affidavits in the prescribed format henceforth. The said statement of facts shows the total T&D losses from 2001-02 to 2010-11 but in the opinion of the Commission it does not meet the requirements of the earlier order. The representative of the JSEB submitted that they do not have feeder-wise and voltage-wise actual losses. This is a serious matter because unless feeder-wise and voltage-wise losses are known it is difficult to plan to bring down such losses. That being the position it is a

must that the JSEB should develop a system for collection of data on T&D losses feeder-wise and voltage-wise including the T&D losses of major cities/towns and Divisional Headquarters. The JSEB is directed to respond on this issue by the next date as to how they plan to proceed in this direction.

As far as energy auditing system is concerned, the Commission was informed that M/s HCL Infosystem Limited has been hired for the purpose. The Commission had asked for a copy of the agreement. The JSEB has given a copy of the said Agreement. It is a voluminous document and the Commission need some time to go through it to find out how far this Agreement is going to help in establishing the system of energy auditing.

A further perusal of the statement of facts filed by the JSEB on 19.2.2011 seems to suggest that whatever has to be done is to be done by the Government of Jharkhand and not by JSEB. The Commission rejects their contention because they are a statutory body and have certain functions to perform under law. By shifting the onus on others on one pretext or the other, the JSEB cannot absolve of its responsibilities and functions which they are mandatorily supposed to discharge as a deemed licensee under the Electricity Act, 2003. It is wrong to suggest on the part of the JSEB that they are not an autonomous organization. They are a creation of the statute, a legal entity and, as stated earlier, they have certain functions and duties which they must discharge.

Coming to their point of remunerative and reasonable tariff, less said is better, because last year the Commission gave suo-motu tariff without any petition from the licensee-JSEB. The licensee-JSEB has not challenged the said Tariff Order. Now it does not lie in their mouth to say that the tariff is not reasonable and remunerative. Moreover, the tariff process for FY 2011-12 is

already on in a different proceeding. It is for the JSEB to place their case properly with adequate facts and figures and datas in that proceeding. The licensee should not mix up the issues of one proceeding into another.

As regards PTPS generation is concerned, there are total 10 units. The Commission is given to understand that Unit Nos. 4 & 6 are working and generating 70-80 MW of power. For Unit Nos. 7 & 8, a feasibility study by M/s Evonik Energy Services India Pvt. Limited has been conducted and a copy of the report has been made available to the Commission today, which speaks about the requirement of fund of Rs.538 crores for renovation and upgradation of these two units. Likewise, a study by Bharat Heavy Electricals Limited regarding Unit Nos. 9 & 10 has been conducted and a copy of their report submitted to the JSEB is submitted in the Commission today.

The Commission was informed that by renovation and upgradation of these four units their generation can go upto 110 MW each. But what steps have been taken on the study of these four units is not yet clear. The representative of the JSEB pointed out that they have submitted the report to the Government for funding purposes but nothing has been heard so far. The Government is also a party in this proceeding. Surprisingly, no one was present to represent the Government. The Commission views it seriously and directs to issue fresh notice to the Government of Jharkhand, Department of Energy to ensure the presence of its authorized representative and inform the Commission about action taken on this issue. About the remaining four units i.e. Unit Nos. 1,2,3 & 5 no status report is made available to the Commission. The representative of the JSEB is directed again to check up and if any study has been conducted that should be placed before the Commission. If not, JSEB and Government should come out with their road map about these four units.

In the said statement of facts the JSEB has stated that they have 212 KMs of 132 KV lines and 65 KMs of 220 KV lines in their transmission network. Likewise, on the distribution side it has been stated that they have 1288 KMs of 33 KV lines and 2463 KMs of 11 KV lines and 2738 KMs of LT lines as added to the existing network. But they have not disclosed what is their existing distribution network. The information given by JSEB is incomplete and does not serve the purpose and, therefore, a last opportunity is given to JSEB to submit full and complete information on this issue by the next date.

On the last date, the Government's representative was asked to report about the decision of the State Government on the compliance of the direction/ order dated 1.5.2008 and 21.12.2009 passed by the Hon'ble Jharkhand High Court in CWJC No. 1793 of 2001 (M.S. Mittal Vrs. JSEB & Ors). We are sorry to note that no compliance report on behalf of the State Government has been submitted nor any representative was present today. As ordered earlier, a fresh notice should be issued to the Government of Jharkhand, Department of Energy directing them to be present on the next date along with the compliance report.

Put up on **30.4.2011** at **11.30 AM** for further hearing.

Sd/-
(T. Munikrishnaiah)
Member

Sd/-
(Mukhtiar Singh)
Chairperson