

# Jharkhand State Electricity Regulatory Commission Ranchi

## FORM OF PROCEEDING

**Case No. 03 of 2012**

Damodar Valley Corporation & others ..... Petitioner  
Vrs.  
M/s. Shivam Iron & Steel Co. Ltd. .... Respondents

Sl.No.	Date of proceeding	Proceedings of the Commission with signature	Office action taken with date
1	2	3	4
08	22.09.2012	<p style="text-align: center;">Learned Advocate Mr. Prashant Kumar Singh and Mr. S.Ghosh are present for the DVC, Kolkata.</p> <p style="text-align: center;">Learned Lawyer Mr. N.K. Pasari present for the opposite party.</p> <p style="text-align: center;">Argument heard.</p> <p style="text-align: center;">The Learned Lawyer for the DVC argued that the respondent M/s. Shivam Iron &amp; Steel Co. Ltd. has to deposit the preliminary survey charges first then only the petitioner DVC can consider on the petition for the respondent. On the other hand the learned lawyer for the petitioner argued that there is no provision of preliminary survey charges and as such DVC can not compel the respondent to incur expenditure which is do not sanctioned by law.</p> <p style="text-align: center;">Section 45 of the Electricity Act, 2003 provides about the charges a distribution licensee can charge from a consumer but in this section preliminary survey charges does not find place. Section 46 of the Act speaks about the powers of State Commission to make regulations authorizing distribution licensee to charge from a petitioner requiring supply of electricity in pursuant of Section 43. Chapter three (3) of JSERC (Electricity Supply Code) Regulations, 2005 framed by the Commission speaks about the recovery of charges. Regulations 3.1, 3.2 and 3.3 speaks about various charges but not about preliminary survey charges.</p>	

In view of the aforesaid legal position, the Commission is of the opinion that the petitioner DVC is not entitled to ask for preliminary survey charges and hence their plea is rejected.

The Commission again clarifies that it is duty of the licensee to give electrical connection to the consumers and if new lines and other infrastructure has to be created in that case the licensee can ask for more time from the Commission. Of course, the charges incurred in supplying electricity to the consumer because of laying of electricity line or other infrastructure can be charged to the consumer.

Sd/-  
Member (E)

Sd/-  
Chairperson