

**IN THE JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION AT  
RANCHI**

CASE NO.15 OF 2014

Jharkhand Small Scale Industries Association ..... Petitioner

Versus

Jharkhand Urja Vikas Nigam Ltd. .... Respondent

**CORAM :**     **HON'BLE MR. JUSTICE N.N.TIWARI, CHAIRPERSON**  
                  **HON'BLE MR. T.MUNIKRISHNAIAH, MEMBER (ENGG.)**  
                  **HON'BLE MR.SUNIL VERMA, MEMBER (FINANCE)**

**For the Petitioners**                             :         Mr. Dhananjay Kr. Pathak, Advocate

**For the Respondents**                           :         None

**Order**  
(19.08.2014)

A petition containing a preliminary objection upon the proposed tariff determination process initiated upon the application of the licensee JUVNL for determination of Distribution Tariff for FY 2013-14 has been filed by the petitioner.

Registered it.

Heard Mr. D.K.Pathak, Learned Counsel for the petitioner.

Learned Counsel submitted that as per the provision under section 64(3) of the Electricity Act, 2003, the Commission has to determine the tariff and pass tariff order within 120 days from the receipt of the application for determination of tariff considering all suggestions and objections received from public. According to the learned counsel 120 days has expired long back. The petitioner came to know through Public notice advertised in the daily

newspapers that the tariff petition was filed by the erstwhile JSEB on 28.01.2013 and the holding company has filed addendum to the said petition on behalf of all its three sister concerns. He has further submitted that since the mandatory period lapsed, there cannot be any further proceeding on the said application.

Learned counsel further submitted that the licensee is also duty bound to make available all the tariff petitions on its official website for the purpose of perusal of the stakeholders. The licensee in its public notice has only mentioned that a copy of the tariff petitions can be downloaded from its official website but there are no such tariff petitions available on the official website of the licensee. Learned counsel submitted that in view of the said illegality any proceeding in the matter shall be without jurisdiction.

Heard.

Since the licensees are not present today, issued notice to the licensees and others concerned fixing 1<sup>st</sup> September 2014.

Learned counsel has assured that the copy of the petition shall be served on the licensees and the others concerned also from his end.

In the meanwhile further proceeding in the matter shall be in abeyance.

Put up on 1<sup>st</sup> September 2014 at 04.00 P.M.

Sd/-  
(Sunil Verma)  
Member (finance)

Sd/-  
(T.Munikrishnaiah)  
Member (Engg.)

Sd/-  
(N.N.Tiwari, J.)  
Chairperson