

**JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
RANCHI**

Case No. **06** of **2011**

Shri **Mukhtiar Singh**, Chairperson
Shri **T. Munikrishnaiah**, Member (Tech)

Dated: **14th March 2011**

ORDER

IN THE MATTER OF

M/s South Eastern Railway, Chakradharpur Petitioner

Versus

Jharkhand State Electricity Board Respondent

For the Petitioner : Shri P.K. Satapathy, Sr.SE/TRD/CKP
Shri Atul Kumar, Sr.DEE/TRD/CKP
Both from SE Railway, Chakradharpur

For the Respondent : Shri Rajesh Shankar, Advocate
Shri Abhay Prakash, Advocate with
Shri Ramautar Choudhary, CE (Trans)
Shri S.K.Mishra, JSEB, Ranchi

1. M/s South-Eastern Railway, Chakradharpur has filed a petition stating therein that the respondent-JSEB be directed to make metering arrangement of 132 KV Rajkharsawan-Chakradharpur transmission line at both the places viz. Rajkharsawan & Chakradharpur. The petitioner has claimed an amount of Rs.5,83,729/- spent by Railways towards restoration of towers, which the respondent-JSEB was supposed to do. Likewise, 250 nos. M.S. angle were found missing from the towers between Rajkharsawan-Chakradharpur 132 KV transmission line for which the petitioner spent an amount of Rs.1,78,629/-. In the current year, 100 nos. of angles were again found missing in some towers when foot patrolling was carried out on 12.4.2010. A direction is sought to reimburse the amount and also to provide 100 numbers of angles which were found missing. The Railways also claim transmission charges for the usages of dedicated transmission line of Railway by the respondent-JSEB.

2. The respondent-JSEB, during the course of hearing, argued that the petitioner-SE Railway is a consumer of the licensee-JSEB and as such it is a consumer dispute. Hence this Commission does not have the jurisdiction under Section 86(1)(f) of the Electricity Act, 2003, under which disputes between the licensees and generating companies can only be adjudicated upon.

3. Heard the two sides.

4. From the pleadings of the two sides, it is abundantly clear that the petitioner-SE Railway, Chakradhapur is a consumer of the licensee-JSEB and not a generator. As such, under Section 86(1)(f) of the Electricity Act, 2003, this Commission is not empowered to entertain the dispute between a consumer and a licensee. The petitioner is free to approach the Consumer Grievance Redressal Forum of the licensee-JSEB. The petitioner is also advised, taking into consideration of the nature of their grievance, to approach the highest authorities of the licensee-JSEB and bring the grievances to their notice.

5. With the above observation, the petition of the petitioner is disposed of.

6. Let a copy of this order be sent to both the parties.

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

Sd/-
(Mukhtiar Singh)
Chairperson