

**JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
RANCHI**

Case No. **15** of **2011**

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

Dated: **11th March 2011**

ORDER

IN THE MATTER OF

Jharkhand State Electricity Board Petitioner

Versus

M/s Sukh Sagar Metal Private Limited & another..... Respondents

Counsel for the Petitioner : Shri M.S. Mittal, Sr. Advocate
Shri Nitin Kumar Pasari, Advocate

Counsel for the Respondents : Shri Rajesh Shankar, Advocate
Shri Abhay Prakash, Advocate

1. The petitioner-JSEB has filed the petition under consideration for finalization of the name of laboratory in which the energy meters of the consumers viz. M/s Sukh Sagar Metal Private Limited and M/s Shankar Ferro Alloys Limited are to be tested.

2. The instant petition has been filed by the petitioner-JSEB in pursuance of the orders of the Hon'ble Jharkhand High Court at Ranchi.

3. The Hon'ble Jharkhand High Court has passed an order dated 6.1.2011 in LPA No. 2 of 2011 (Jharkhand State Electricity Board Vrs. M/s Sukh Sagar Metal Private Limited & another). The relevant paragraph of the said order is reproduced below:

"The meter will be tested by an agency as finalized by the Regulatory Commission on the suggestions of the appellant and tests will be what the 2003 Electricity Act envisages."

4. In the matter of M/s Shankar Ferro Alloys Limited, the Hon'ble Jharkhand High Court has passed an order dated 18.1.2011 in WP(C) No. 5901 of 2010 - (M/s Shankar Ferro Alloys Limited , Jamhedpur

Vrs. JSEB & another), the relevant paragraph of which is reproduced below:

“As prayed by Mr. V.P. Singh, the respondents will be at liberty to send the meter to Jharkhand State Electricity Regulatory Commission to get it tested as per law”

5. Notice was issued to M/s Sukh Sagar Metal Pvt. Limited and M/s Shankar Ferro Alloys Limited. The respondents have appeared.

6. The two sides were heard.

7. During the course of arguments, both the parties left the issue of selecting the laboratory for meter testing to the Commission.

8. After deliberations with the two sides, M/s National Physical Laboratory, New Delhi was named for testing the meters, in question. However, on verification by Member (Tech), JSERC with M/s National Physical Laboratory, New Delhi, it transpired that the aforesaid laboratory has recently stopped the meter testing facility. In these circumstances, the Commission selects Central Power Research Institute (CPRI), Bhopal, which is an autonomous society under the Ministry of Power, Government of India for the purpose.

9. The petitioner-JSEB is directed to arrange to send the meters for the required testing to the aforesaid Central Power Research Institute (CPRI), Bhopal.

10. Let a copy of this order be sent to the parties concerned.

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

Sd/-
(Mukhtiar Singh)
Chairperson