

JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
RANCHI

Case No. **02/2008**

Shri **P.C. VERMA**, Member (Tech)

IN THE MATTER OF

Notice dated 19.1.2008 issued by the Jharkhand State Electricity Regulatory Commission inviting applications from interested licensees/persons to supply electricity in the town of Ranchi.

AND

IN THE MATTER OF

Reliance Infrastructure Limited, Mumbai Petitioner
(formerly known as Reliance Energy Limited)

Versus

Jharkhand State Electricity Board & Others Respondents

ORDERS
(13.05.2008)

In the instant case the petitioner has filed an application praying therein to accept the petitioner's Expression of Interest (EOI) dated 18th April 2008 for supply of electricity in the town of Ranchi, condone the delay in submitting the Expression of Interest and to issue the Request for Qualification to the petitioner as well as allow the petitioner to participate in the said process of selection of successful applicants.

The brief facts of the case is that pursuant to the order dated 9th January 2008 passed by the Hon'ble High Court of Jharkhand in Public Interest Litigation case being CWJC No. 1793 of 2001 (Madhusudan Mittal Vrs. Jharkhand State Electricity Board & Others), the Jharkhand State Electricity Regulatory Commission had published notice on 19th January 2008 in the various newspapers inviting applications from the interested licensees/persons to supply electricity in the town of Ranchi. The said notice specified that the applications accompanied by documents of credential should be submitted after due diligence to the Commission on or before 29th February 2008. In response to the said notice the Commission received applications from the various licensees/persons within the date specified in the said notice.

On 18th April 2008 i.e. after an about 1 ½ months of the last date of submission of Expression of Interest by the licensees/persons, the petitioner submitted an application showing its Expression of Interest for supply of electricity in the town of Ranchi along with its credentials and requested to condone the delay and accept the Expression of Interest. The Commission after considering the application dated 18.4.2008 of the petitioner communicated vide letter No. JSERC/87(pt)/41 dated 21.4.2008 that since the Commission had issued notice inviting applications for supply of electricity in the town of Ranchi pursuant to the Hon'ble High Court's order dated 9.1.2008 and the last date for submission of applications/EOI was 29.2.2008, the request of the petitioner for accepting Expression of Interest for supply of electricity in the town of Ranchi cannot be acceded to at this stage. On receipt of this communication the petitioner has filed the instant petition making therein essentially the same prayer as is done earlier by them (petitioner) vide their application dated 18th April 2008 with only difference that this time they have filed formal petition with requisite fee i.e. to accept the petitioner's Expression of Interest (EOI) dated 18th April 2008 for supply of electricity in the town of Ranchi, condone the delay in submitting the petition and to issue the Request for Qualification to the petitioner as well as allow the petitioner to participate in the said process of selection of successful applicant.

Perused the instant petition.

In the instant petition the petitioner has prayed for accepting the petitioner's Expression of Interest (EOI) dated 18th April 2008 for supply of electricity in the town of Ranchi, condone the delay in submitting the petition and to issue the Request for Qualification to the petitioner as well as allow the petitioner to participate in the said process of selection of successful applicants. This is essentially the same prayer as is already made by the petitioner's letter dated 18th April 2008 containing Expression of Interest for supply of electricity in the town of Ranchi for accepting the same and to condone the delay in submitting the application/Expression of Interest which has

already been considered and rejected and communicated to the petitioner vide Commission's letter No. JSERC/87(pt)/41 dated 21.4.2008 and I do not find any change in the position at present and the present petition is also filed much after the expiry of the last date for submission of application/Expression of Interest to supply electricity in the town of Ranchi i.e. 29th February 2008 stipulated in notice published in newspapers in pursuance to the orders of the Hon'ble High Court of Jharkhand.

In view of the facts and circumstances stated hereinabove, the instant petition of the petitioner is rejected.

Sd/-
(P.C. Verma)
Member (Tech)