



## Chhattisgarh State Electricity Regulatory Commission

Civil Lines, G.E. Road, Raipur – 492001

Tel: 0771-5073555, Fax-5073553

### **Petition No.13/2005**

Chhattisgarh Bijli Karmchari Sangh Mahasangh..... Petitioner  
V/s

M/s Jindal Steel & Power Ltd. and an other.....Respondents

### **Certified Copy of Order Passed in Order Sheet**

#### **22.07.05**

Petitioner represented by Shri Mohan Anty and Shri Surendra Mahapatra, Advocate. Heard the counsel. The only issue in which this petition has been filed is that M/s Jindal Steel & Power Ltd., Raigarh has been generating and distributing power to certain industries on the basis of a letter No. 601/पा.ला.नि.अनु/उ.वि/2004 dated 25.2.2004 issued by the State Govt. in its favour, which is not a valid order. The respondent company is thus engaging in distribution of power without a licence. As per Sec. 12 of the Electricity Act, 2003 (the Act, in short), no person can distribute electricity unless he is authorised to do so by a licence issued under Sec. 14 or is exempt under Sec. 13. It is, therefore, argued that the respondent company by distributing electricity without a licence has violated the provisions of the Act and is liable for punishment under Sec. 142. The petition has, therefore, been submitted in the nature of complaint before this Commission.

2. The matter regarding supply of power by M/s Jindal Steel & Power Ltd., Raigarh to some industries on the basis of the letter of the State Government in question is already under consideration of the Commission in petition No.PL-03 of 2005. In fact, in para 2 of the letter of the State Government afore mentioned, it has been very clearly stated that while the State Government has no objection to supply of 299MW of power to 43 industrial units, which may be set up in the private industrial area of the company, the company shall apply for necessary licence/permission to the Commission once it is constituted. It is in compliance with this provision that the company has made an application for distribution licence which is under consideration of the Commission. The same issue, which is raised in this complaint has already been raised by an objector in that petition.

3. The petitioner in this case had an opportunity to file his objection when due notice was issued inviting objections for distribution licence to M/s Jindal Steel & Power Ltd. The petitioner have not filed any objection at that time now wants to raise it in a separate petition. This will be duplication of proceedings and a case of misuse of the judicial process.

4. The petition is, therefore, rejected at the stage of admission only. The case may be filed.

Sd/-  
**Member**

Sd/-  
**Chairman**

**True Copy**

(Ajay Srivastava)  
Deputy Secretary