

**JOINT ELECTRICITY REGULATORY COMMISSION FOR  
THE STATE OF GOA AND UNION TERRITORIES  
GURGAON**

Coram\*  
Shri S.K. Chaturvedi, Member  
**Petition No. 119/2013**  
**Date of Order 24.01.2014**

**In the matter of**

Petition under Sections 86 (1)(c) and 142 of the Electricity Act, 2003 read with JERC (Open Access in Transmission and Distribution) Regulations, 2009

**And in the matter of**

Perfect Filaments Ltd. Survey No. 285, Bhimpore, Daman ..... Petitioner

**Vs.**

Electricity Department of Daman ..... Respondent

**Present for Petitioner**

1. Sh. Gaurav Nand, Authorized Representative, Perfect Filaments Ltd.

**Present for Respondent**

1. Shri M.R. Ingle, Executed Engineer, ED-Daman.

**Order**

The petitioner - Perfect Filaments Ltd. has filed the present petition under Sections 86 (1)(c) and 142 of the Electricity Act, 2003 read with JERC (Open Access in Transmission and Distribution) Regulations, 2009 for directions to Electricity Department of Daman to grant Open Access permission to the petitioner, impose maximum penalty on the Electricity Department of Daman for contravening the JERC Regulations and violating the provisions of Section 142 of Electricity Act, 2003 and award compensation to the petitioner for financial loss suffered by the petitioner on account of wrongful denial of open access and also lay down detailed procedure for implementation of short term Open Access and determination of open access charges to be applicable on open access transactions.

The Commission examined the petition and found the petition in line with JERC (Conduct of Business) Regulations, 2009 and JERC (Open Access in Transmission and Distribution) Regulations, 2009. Therefore, the Commission admitted the petition.

The petition was scheduled for hearing on 27.12.2013. The Commission on 20.12.2013 received written request from Counsel for the respondent stating that he is unable to attend hearing on 27.12.2013 due to personal difficulty and the petition was scheduled for hearing on 21.01.2014.

The Commission heard representative of the petitioner for some time on 21.01.2014. It was pointed out to the Commission that a public hearing was scheduled on 24.01.2014 at Community Hall, Near Sidhhivinayak Temple, Ashok Nagar Colony, Ghogla, Diu. The representative of the

petitioner prayed the Commission that this petition may be also heard on 24.01.2014 at Community Hall, Near Sidhhivinayak Tample, Ashok Nagar Colony, Ghogla, Diu.

The Commission considered the request of the representative of the petitioner and observed that as the Commission had already scheduled a public hearing on 24.01.2014 at Community Hall, Near Sidhhivinayak Tample, Ashok Nagar Colony, Ghogla, Diu and the representative of ED- Daman was also not present, therefore, it would be proper and appropriate to hear the petition on 24.01.2014 at Community Hall, Near Sidhhivinayak Tample, Ashok Nagar Colony, Ghogla, Diu.

Therefore, the petition was scheduled for hearing on 24.01.2014 at 12:00 at Community Hall, Near Sidhhivinayak Tample, Ashok Nagar Colony, Ghogla, Diu.

The Commission heard the representatives of the parties. Both the representatives of the parties submitted that they want to file written submission and prayed for 15 days time for submitting written submissions.

The Commission considered the request, acceded the same and directed the parties to file written submissions on or before 14.02.2014.

Sd/-

(S.K.Chaturvedi)

Member

Camp at Community Hall,  
Near Sidhhivinayak Tample,  
Ashok Nagar Colony, Ghogla, Diu.

- \* As per Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 "Coram is two". Whereas as per proviso of Regulation 9 (II) of JERC (Conduct of Business) Regulations, 2009 if Chairperson or the Member is prevented from attending hearing of which he has been given notice the Member or the Chairman as the case may be attending the meeting shall validly constitute the Coram. Post of the Chairperson is vacant. According to provisions of Section 93 of the Electricity Act, 2003 no act or proceedings of the appropriate Commission shall be questioned or invalidated merely on the ground of existence of any vacancy or defect in the Constitution of the appropriate Commission. So the Member only constitute a valid Coram.

Certified Copy



(Rajeev Amit)

Secretary