

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

Coram*
Shri S.K.Chaturvedi, Chairperson
Petition No. 131/2014
Date of Order 05.05.2014

In the matter of

Notification dated 6th November, 2013 of Administrator of Daman & Diu and Dadra & Nagar Haveli, illegal construction attempted on land of applicant and order dated 27.03.2014 passed by the District Magistrate of Dadra & Nagar Haveli.

And

M/s Prakash Industries Ltd. a company incorporated under the Companies Act, having its registered office at 15 K.M. Stone, Delhi Road, Hisar-125044Petitioner

Versus.

1. The Administrator, Daman & Diu and DNH
2. The Executive Engineer, Electricity Department, Transmission Division, Silvassa, Dadra & Nagar Haveli,Respondents

Present

For Petitioner

1. Sh. Shailesh Singh, Advocate, Prakash Industries Ltd.
2. Sh. Ashwani Kumar, Advocate, Prakash Industries Ltd.
3. Sh. Dinesh Purandre, Advocate, Prakash Industries Ltd.

For Respondents

1. Sh. H.M. Patel, Executive Engineer, ED- Dadra and Nagar Haveli.
2. Sh. R.B. Chaubal, AE, ED- Dadra and Nagar Haveli.
3. Ms. Swapna Seshadri, Advocate, Respondents.

Order

The petitioner – M/s Prakash Industries Ltd. has filed the present revision petition to quash and set aside order dated 27.03.2014 passed by DM, Silvassa and direct the respondents to route transmission line covered under notification dated 6.11.2013 from outside land of the petitioner in a manner that neither transmission tower nor transmission lines pass through the said land of the petitioner.

The Commission received the petition on 07.04.2014. The Commission examined the petition and found in line with the JERC (Conduct of Business) Regulations, 2009 and Electricity Act, 2003 and notification no. G.S.R. 217(E) dated 18.04.2006.

The Commission sent pre-admission hearing notices for today 05.05.2014 to the parties. The respondents submitted reply to the petition.

The Commission heard the representatives of the parties at length and has gone through the petition and reply carefully and thoroughly. The Commission admitted the petition.

The representatives of both the parties prayed for 4 days time for filing written submissions. The Commission considered the prayer of the parties and directed them to file written submissions on or before 09.05.2014.

Sd/-
(S.K.Chaturvedi)
Chairman
Member (Vacant)

- * 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 Member 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 Chairperson only constitute a valid Coram.

Certified Copy



(Anish Garg)

Secretary