

BEFORE THE COURT OF ELECTRICITY OMBUDSMAN, JHARKHAND
2nd floor, Sainik Market, Main Road, Ranchi – 834001

Case No. EOJ/08/2026

M/S Jindal Steel Ltd. Vrs. CGRF, DVC, through its secretary

Extract Copy of Order

17.07.2026 Heard Mr. Mridul Chakravarty, Adv. assisted by Ms. Alchi Thapliyal and Ms. Bobby Priyanka, advocates on behalf of the appellant.

Learned counsel pointed out the observation made by learned JSERC in Case No. 04 of 2025 dated 8.4.2025 wherein the Hon'ble Commission while dismissing the case as not maintainable has opined as follows:

“Further, the Commission noted that prima facie, the case of the petitioner appears to be a billing dispute and as per clause 8.2.2 of the Jharkhand State Electricity Commission (Electricity Supply Code) Regulations, 2015 disputes related to the demand note may be referred to the Consumer Grievance Redressal Forum (CGRF) for adjudication as such the petitioner is at liberty to file its representation before the appropriate forum”.

Attention of this forum is drawn to penultimate paragraph of order dated 30.5.2025 passed by Hon'ble APTEL in APL No. 162/2025 and I.A. No. 701/2025 wherein the Hon'ble appellate Tribunal has opined as follows:

For the reasons delineated above, the applications for interim stay is hereby dismissed. Needless to state that the payment made in terms of the impugned order dated 10.12.2024 by the appellant shall be the

subject of the main appeal. It is clarified that the appellant is free to take legal recourse available to them, in reference to Sec. 56(2) of the Electricity Act, 2003, before the appropriate Forum.

Next, it is pointed out that the appellant is regularly paying the installments fixed by DVC and even the current electric bills are being paid regularly.

Attention of this forum is drawn to Regulation 10(4) of JSERC (Guidelines for establishment of Forum for Redressal of Grievances of the Consumers, Electricity Ombudsman and Consumer advocacy) Regulations, 2020 and it is submitted that as per the mandate of second proviso of the aforesaid regulation, even before rejecting the complaint made under Clause 9 of the Regulation, an opportunity of being heard has to be given to the complainant/appellant; which, as would be evident from plain reading of Letter No. CGRF/15 dated 5.5.2026, has not been given to it. Learned counsel prays that the matter may be remanded back to learned CGRF, DVC, Maithon, Dhanbad on this ground alone, so that the complainant/appellant can get a chance to impress upon the learned CGRF that it's case is not hit by Clause 9(iii) of JSERC (Guidelines for establishment of Forum for Redressal of Grievances of the Consumers, Electricity Ombudsman and Consumer advocacy) Regulations, 2020.

Having considered the submission above mentioned and upon going through the relevant documents cited above, this forum is of the view that the complainant/appellant's complaint, ought to have been considered by learned CGRF, DVC, Maithon before holding that it is hit by provision contained in Clause 9(i) (iii) of JSERC (Guidelines for establishment of Forum for Redressal of Grievances of the Consumers, Electricity Ombudsman and Consumer advocacy) Regulations, 2020. Apparently, a plain reading of the impugned letter CGRF/15 dated

5.5.2026 goes to suggest that the complainant/appellant was not heard before rejecting its complaint under Clause 9(i) (iii).

For better appreciation Clause 10(4) is being reproduced, which is as follows:

(10) Manner in which the complaint shall be redressed.

(4) On receipt of a complaint made under Clause 9 of these regulations, the forum may, by order allow the complaint to be proceeded with or rejected.

Provided that the complainant shall be informed in writing giving reasons, if the complaint is rejected,

Provided further that a complaint shall not be rejected unless an opportunity of being heard has been given to the complainant;

Provided further that the maintainability of the complaint shall ordinarily be decided within fifteen days from the date on which complaint was received.

In considered view of this forum, rejection of the complaint by learned forum below as communicated vide letter CGRF/15 dated 5.5.2026, without complying with the second proviso to Clause 10(4) above quoted which mandates giving the complainant an opportunity of being heard before rejecting the complaint; is not only violation of this provision but also violation of the Principle of Natural Justice which commands that nobody can be condemned unheard.

Accordingly rejection of the complaint filed by the complainant/appellant by learned CGRF, DVC, Maithon as communicated vide letter CGRF/15 dated 5.5.2026 is held to be bad in

law and therefore set aside. The complainant/appellant is at liberty to approach learned CGRF, DVC, Maithon afresh, which shall consider the matter in accordance with law without being prejudiced by its own earlier order as well as this order. Let a copy of this order be sent to the appellant as well as CGRF, DVC.

Sd/-
Electricity Ombudsman