

**JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION
RANCHI**

FORM OF PROCEEDING

Case No. 22 of 2018

Jai Prakash Choudhary Petitioner
Versus
Jharkhand Bijli Vitran Nigam Limited & ors Respondents

For the petitioner : Mr. Jai Prakash Choudhary
For the Respondents : Mr. Naveen Kumar and Mr. Amitabh ,Advocates

| Sl. No. | Date of proceeding | Proceedings of the Commission with signature | Office action taken with date |
|---------|--------------------|---|-------------------------------|
| 1 | 2 | 3 | 4 |
| 07. | 21.01.2019 | <p>A petition has been filed by Jai Prakash Choudhary for issuance of direction upon the respondent to convert / shift the service connection of the petitioner from 11 KV to 33 KV and for payment of appropriate damage / compensation as provided in the Regulation.</p> <p>Learned counsel for the petitioner submitted that the petitioner is the proprietor of cold storage and using the electricity for running the cold storage and it is the only cold storage in the area. Learned Counsel further submitted that due to low quality and volatile voltage supply the petitioner suffers huge financial loss due to regular repairing of motor / compressor and also facing litigation by the farmers for their rotten and damaged vegetables / fruits and other perishable commodities.</p> <p>Learned Counsel for the petitioner submitted that as the quality of supply running on 11 KV line was poor, the petitioner approached the respondents with requisite fee on 03.02.2015 for tapping from 33 KV line. On the application of the petitioner, Chief Engineer (C&R) wrote a letter dated 31.08.2015 to the General Manager-cum-Chief Engineer, Dumka and Electrical Superintending Engineer requesting to explore the possibilities for construction of independent 33 KV feeder to resolve the</p> | |

problem of the petitioner.

Learned Counsel further submitted that a three member team visited the site and prepared a proposal dated 14.10.2015 for solid tapping in the existing 33 KV furnace feeder emanating from 33KV/11 KV P/S/S Baidyanathpur near M/s Prakash Iron (P) Ltd. Maheshmara, Deoghar to supply power to the petitioner for which a revised feasibility report was also prepared. Learned Counsel also submitted that General Manager-cum-Chief Engineer, Dumka vide letter dated 02.11.2015 requested the Chief Engineer (C&R), JBVNL, Ranchi to accord permission for tapping from existing 33 KV outgoing furnace feeder emanating from 33KV/11 KV P/S/S Baidyanathpur connected through 33 KV Daburgram for which no permission was accorded.

Learned Counsel for the petitioner submitted that the petitioner on the basis of the assurances given by the respondents also constructed the required infrastructure by spending almost Rs. 8 lakhs towards 33KV/440 (350 KVA) power transformer, cable and other substation.

Learned counsel for the petitioner further submitted that in similar case the respondent have converted / shifted the connection of M/s Vaishnavi Multygrain (P) Ltd. Deoghar having load of 500 KVA at 33 KV voltage supply through mid-point taping from uniting 33KV feeder of Baidyanathpur P/S/S and as such the petitioner cannot be discriminated by the respondents.

Learned Counsel of the respondents through their reply submitted that as per clause 4.3 of the JSERC (Electricity Supply Code) Regulation, 2015 for contracted load exceeding 100 KVA and upto 1500 KVA, electricity supply shall be given at 11 KV and as such denied to shift the electric connection from 11KV to 33 KV.

Learned Counsel further submitted that during last two years the supply of electric energy and voltage in that locality is well and good and no any major complaint

received since last two years from any other 11 KV consumers. Learned Counsel also submitted that JBVNL is going to provide power to industrial consumers through independent U.G. cable for better supply of electric energy in near future

Learned Counsel for the respondent also submitted that if they allow 33 KV tapping to the petitioner then many other 11 KV consumers through which premises 33 KV line exists will demand for tapping from 11KV to 33 KV line which will deteriorate the reliability of the power supply of 33 KV feeder.

ORDER

From the submission of the respondent it is not clear why inspite of favorable recommendation of General Manager-cum-Chief Engineer, Dumka vide its letter dated 02.11.2015 and also on the basis of which the petitioner has made some investment, JBVNL now find the petitioner not suitable for shifting/converting connection to 33 KV. It is also not clear that in the head quarter of JBVNL at what level the decision not to accept the recommendation of General Manager-cum-Chief Engineer, Dumka has been taken?

The Commission has observed that :-

1. The application has been pending since Feb. 2015 when earlier JSERC (Electricity Supply Code) Regulations, 2005 was prevailing.
2. As per letter no. 2869 dated 02.11.2015 of General Manager-cum-Chief Engineer, Electric Supply Area, Dumka and letter no. 3054/ESE, Deoghar dated 26.10.2015 of ESE/Supply/Deoghar connection at 33 KV has been recommended along with technical feasibility report.
3. The connection is for only cold storage in the area to preserve agricultural product viz. veg., fruits etc for which uninterrupted quality power is required.

In view of the above, the petitioner is hereby

directed to file a representation before the Managing Director, JBVNL with full facts. The Managing Director, JBVNL on receipt of the representation would himself look into all the recommendations of the field Officers and take a decision about allowing the petitioner for conversion to 33 KV. In case he decides to allow the representation no further reference to the Commission under clause 4.7 of JSERC (Electricity Supply Code) Regulations, 2015 would be required in this case as the Commission has no objection in shifting/converting the connection of the petitioner from 11 KV to 33 KV. However, if he finds the representation not suitable for allowing the conversion/shifting, he would give a personal hearing to the petitioner and pass an speaking order.

With the above direction, the petition is disposed off accordingly.

Sd/-
Member (E)

Sd/-
Chairperson