

# Jharkhand State Electricity Regulatory Commission Ranchi

## Form of Proceedings

### Case No. 22 of 2019

Neo Industries Metal processing Pvt. Ltd. .... Petitioner

Versus

Jharkhand Bijli Vitran Nigam Limited & Ors..... Respondents

**CORAM: HON'BLE SHRI R.N.SINGH, MEMBER (ENGINEERING)  
HON'BLE SHRI P.K.SINGH, MEMBER (LEGAL)**

For the Petitioner : Mr. Saket Updhayay, Advocate  
For the Respondent : Mr. Mrinal Kanti Rai, Advocate

Sl.No	Date	Proceeding of the Commission with signature	Office action taken with date
1	2	3	4
14	16.12.2020	<p>This petition has been brought by the petitioner-Neo Industries Metal Processing Pvt. Ltd. under Clause 4.7 of the Jharkhand State Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2015 seeking necessary approval of this Commission to reduce contract demand from 1510 KVA to 1030 KVA by the Distribution Licensee-JBVNL.</p> <p>The Petitioner in its petition has prayed for the following reliefs:-</p> <p>(i) An application under clause 4.7 of the Jharkhand State Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2015 seeking necessary approval of the Hon'ble Commission to reduce contract</p>	

demand from 1510 KVA to 1030 KVA by the Distribution Licensee-JBVNL.

- (ii) For issuance of necessary direction under Clause 7.17.1 and Clause 7.17.6 of Jharkhand State Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2015 upon the Respondent Distribution Licensee to reduce the contract load of the petitioner before the expiry of initial agreement period.
- (iii) For grant of any other appropriate relief or reliefs deem fit in the facts and circumstances of the instant case.

**Brief facts of the Case as submitted by the petitioner**

Learned Counsel for the petitioner submitted that approval for reduction of contract demand from 1510 KVA to 1030 KVA is required as after energisation siemens modified and started manufacturing more energy efficient machine. Hence, after commissioning, it was detected that maximum demand was not even exceeding 300 KVA and therefore, request was made to the Distribution licensee. By of supplementary affidavit in reply to the query of the commission it is specifically submitted that in taking connection all expenses including Cable laying from grid to plant, road digging, HT cable, Meter Room all expenses have been borne by the petitioner and further expenses for installation of dedicated transformer has also been borne by it.

Learned Counsel further, pointed out that the reduction of contract load was not permitted by the

Jharkhand State Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2015, the Clause was modified and no such bar remained. Clause 7.17.1 and 7.17.6 of the Jharkhand State Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2015 provided the reduction of contract load without casting any liability to complete the initial period of agreement.

Learned Counsel further, pointed out that in terms of Clause 4.7, supply at a voltage and phase other than classification of supply is subject to approval by this Commission, hence the petitioner has approached this Commission to allow the prayer and approve the reduction of load.

**Submission of the Respondent**

Learned Counsel for the Respondent submitted that the petitioner had applied for 1510 KVA load at 33KV supply and accordingly new service connection was energized on 20.04.2018 having contract demand of 1510 KVA at 33 KV HTS Tariff.

Learned Counsel for the Respondent pointed out that as per Clause 4.7 of the Jharkhand State Electricity Regulatory Commission (Electricity Supply Code) Regulations, 2015, the Distribution Licensee may give supply at a voltage and phase other than the classification of supply in Clause 4.3 of the said Regulation is subject to the Commission's approval.

**Commission's observation and findings**

We have considered the submission of the made by both the parties and perused the materials available on

records of the case.

It was pointed out during the course of hearing that for load reduction specific provision is provided under clause 7.17 of the JSERC (Electricity Supply Code) Regulations, 2015.

Clause 4.3 provides that supply shall be given at the given voltage on the basis of contracted load. Clause 4.7 lays down as follows:

*“The Distribution Licensee may, depending upon the technical conditions of the distribution system, give supply at a Voltage and phase other than the classification of supply in clauses 4.3 and 4.3 of these Regulations, subject to the Commission’s approval.”*

Thus, if the Licensee is unable to provide supply at a voltage at the classification given in clause 4.3 for technical conditions, the licensee is required to take approval of the Commission. It is neither pleaded nor stated that any such exigency has arisen before the Licensee

Further, Clause 7 of the said Regulations deals with the procedure for modification in existing connection. Clause 7.17 deals with the procedure, if an application of load reduction is brought before the Licensee. This Clause is a complete code for the purpose, if a petition of load reduction is brought before the Licensee.

As observed initially connected/contracted load was 1510KVA only ie. Just above the requisite load for 33KV voltage connectivity as per table 4.3 JSERC (Electricity Supply Code) Regulations, 2015. Now the petitioner has requested the reduction of load to the extent of 1030 KVA, much below the contracted load within a short time. None of parties could produce the load assessment documents indicating the load break

up. JBVNL should have been very particular during load assessment at the time of contracting load to avoid any probable gaming and in the instant case initial load assessment matter should be enquired into.

Now as the cost of connecting infrastructure-33KV feeder, bays etc. has been borne by the petitioner and it has already been developed. As such, even with the proposed reduction in load, prevailing connection to supply power is allowed w.r.t. Clause 4.7 JSERC (Electricity Supply Code) Regulations, 2015 as prayed for.

Further, with permission in light of Clause 4.7 JSERC (Electricity Supply Code) Regulations, 2015, the petitioner need not come to the Commission for such a proposed load reduction which is to be done by the DISCOM-JBVNL under Clause 7.17 of JSERC (Electricity Supply Code) Regulations, 2015.

It is hereby also clarified that the petitioner will not avail voltage rebate corresponding to 33KV voltage supply once the proposed load reduction is allowed by the respondent-JBVNL.

In the result, it is ordered as;

**ORDER**

The Petition of the Petitioner is disposed off. The Petitioner is at liberty to press its petition before the concerned Licensee for Load reduction.

Sd/-  
(P.K.Singh)  
Member (Legal)

Sd/-  
(R.N. Singh)  
Member (Engg)