

IN THE JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION AT RANCHI

Case No. 05 of 2024

M/s Gajanan Ferro Pvt Ltd.....**Petitioner**

Versus

Jharkhand Bijli Vitran Nigam Limited and Ors.....**Respondents**

**CORAM: HON'BLE MR. MAHENDRA PRASAD, MEMBER (LAW)
HON'BLE MR. ATUL KUMAR, MEMBER (TECHNICAL)**

For the Petitioner :Mr. Dhananjay Kumar Pathak, Advocate
For the Respondent :Mr. Ashok Kumar Yadav, Standing Counsel, JBVNL &
Mr. Kunal Rana, A.C. to Sr. S.C. Mr. Ashok Kr Yadav

Date – 23rd July, 2024

1. The Petitioner M/s Gajanan Ferro Pvt Ltd has filed the instant petition under clause 4.7 of the (Electricity Supply Code) Regulations, 2015 seeking necessary approval for getting/retaining the existing 33kV supply of power with enhanced contract demand of 24,000kVA.
2. The Petitioner in its petition has prayed for the following relief:
 - (a) For approval for supply of power at 33kV with and enhanced contract demand of 24,000kVA in terms of the provisions contained under clause 4.7 of the Electricity Supply Code Regulation, 2015.
 - (b) For grant of any other appropriate relief or reliefs deem fit in the facts and circumstance of the instant case.

Submission of the Petitioner

3. The petitioner has submitted that it is a Private Limited Company registered under Companies Act, 1956 and it has established an ingots/Steel manufacturing unit at Kadamera, Dhalbhumgarh.
4. Learned Counsel of the Petitioner submitted that, for running its unit the petitioner has taken an electrical connection from respondent Nigam vide consumer No.7015/DVM20 with a contract demand of 20,000 KVA - under HTSS 33KV category on 13.12.2020 and since then it is regularly paying the monthly energy bill.
5. Learned Counsel for the Petitioner submitted that to remain competitive in business, the petitioner has increased its furnace capacity and installed a crusher and metal recovery plant. Consequently, the petitioner's load requirement has increased by 4,000kVA, as such, the petitioner needs an additional load of 4,000kVA and with this enhancement, the contract demand would increase to 24,000 KVA. To meet this additional demand, the petitioner has applied for a load enhancement through the online system, with reference number 6384281705007907313.
6. Learned Counsel for the Petitioner while referring clause 4.3 of the Supply Code Regulation, stated that a general classification of the category of supply is based on the consumer's contract load and according to clause 4.3 of the Regulation which refers power supply with a contract load exceeding 20,000 kVA must be provided at 132kV. However, under clause 4.7 of the Regulation, supply at a voltage and phase different from the classification in clause 4.3 is subject to the approval of this Hon'ble Commission.
7. The petitioner further submitted that since the additional 4,000 kVA load requirement exceeds the classification for power supply at 33KV and falls under the category of power supply at 132kV, the required load can only be enhanced

after the approval of this Hon'ble Commission. Although the petitioner has applied to increase the load from 20,000kVA to 24,000kVA on the existing 33kV supply line and has approached local authorities, they have been orally informed that the application for load enhancement cannot be entertained without the necessary approval from this Hon'ble Commission.'

8. Learned Counsel further submitted that the petitioner is otherwise eligible for load enhancement and is ready and willing to comply with the necessary formalities and the petitioner has no arrears and is also willing to pay the additional security deposit to meet the enhanced load requirement. However, due to the specific provision in the Supply Code Regulation under clause 4.7, approval from this Hon'ble Commission is required.
9. Learned Counsel for the Petitioner pointed out that power supply at 132kV requires separate infrastructure set up and erection of a transmission line from the grid substation to the point of supply at the petitioner's end and in the absence of an existing 132kV supply line, it is very difficult for the petitioner to set up such a large infrastructure, including the erection of a separate 132kV line for approximately 2km. The erection of a 132kV line necessitates the installation of 132kV towers over this distance, which requires land, for which the local residents are strongly opposed to the erection of these towers, making it a cumbersome task for the petitioner to obtain the necessary land and clearances.
10. Learned Counsel submitted that the petitioner's industry is contributing significant revenue to both the Nigam's exchequer and the Government and due to the intense competition in the steel industry, the petitioner is compelled to enhance its load to survive in the line of business and if the necessary approval is not granted, the petitioner will suffer irreparable loss and injury. The Counsel reiterated that it is willing to comply with all terms and conditions imposed by this Hon'ble Commission for the approval of the load enhancement from 20,000kVA to 24,000kVA on the 33kV power supply.

Submission of the Respondent

11. Learned Counsel for the Respondent submitted that the petitioner applied for an enhancement of the load from 13500kVA to 20,000kVA and it was approved and increased to 20,000kVA vide letter No. 1844 dated 12.10.2022, in accordance with Clause 4.3 of the Electricity Supply Code Regulations, 2015. Furthermore, the petitioner requested an additional enhancement of the load to 24,000kVA by increasing 4,000kVA on the 33kV line.
12. The learned Counsel of the respondent has referred to clause 4.3 of the Electricity Supply Code Regulations, 2015 for supply of voltage as referred in the table below:

Category	System of Supply
High Tension	
Contracted load exceeding 100 kVA and up to 1500 kVA	3 Phase at 6.6 kV / 11 kV / 22 kV
Contracted load exceeding 1500 kVA and up to 10000 kVA	3 Phase at 22 kV/ 33 kV
Contracted load exceeding 10000 kVA and up to 20,000	3 Phase at 33 kV
Extra High Tension	
Contracted load exceeding 20,000 kVA	3 Phase at 66 kV/ 110 kV/ 132 kV/ 220 kV

13. The Learned Counsel of the respondent has referred from the above table that load up to 20,000kVA may be given on 33kV and for load beyond 20,000kVA the petitioner has to apply on 132kV line in accordance with the Regulations.
14. Learned Counsel for the Respondent has also submitted technical feasibility report vide letter no.852/Sr.M/ESD/GTS dated 06/06/2024 which depicts load bearing capacity of the existing 33kV line conductor (i.e. ACSR Panther) and it has been confirmed that the existing line will be able to withstand the enhanced load

i.e. 24,000kVA as required by the petitioner and Learned Counsel for the Respondent submitted that such provisions can only be made after the necessary approval from the Honorable Commission.

Commissions Observation and Findings

15. The Commission has considered the submission made by the parties and perused the materials available on records.
16. The Commission has also referred to clause 4.3 of the JSERC (Electricity Supply Code) Regulations, 2015 which defines supply of contracted load at designated voltage levels. However, clause 4.7 of the JSERC (Electricity Supply Code) Regulations, 2015 provides as under:

“4.7 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”.
17. The Commission has also taken into consideration the submission of the Respondent wherein the technical feasibility study on load bearing capacity of the existing 33kV line is being carried and report is being submitted before the Commission vide letter No.852/Sr.M/ESD/GTS dated 06/06/2024 which confirms that the existing line shall be able to withstand the additional 4,000kVA load without any technical difficulty.

In the result, it is ordered as:

ORDER

18. Considering the facts and circumstances of the case and keeping in view the submission of the parties, the prayer of the petitioner is allowed. The respondent may allow the enhanced contract load of 24,000kVA to the petitioner at supply voltage of 33kV after ensuring proper arrangement of metering, billing and network system protection.
19. The petition is disposed off in terms of the observation made herein above.

Sd/-
Member(T)

Sd/-
Member(L)