IN THE JHARKHAND STATE ELECTRICITY REGULATORY COMMISSION AT RANCHI

Case No. 06 of 2024

M/s Khetan Enterprises..... **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. Saket Upadhyay, Advocate
For the Respondent : Mr. Ashok Kumar Yadav, Advocate, Mr. Deepak Kumar, ESE Jamshedpur

Date – 28th June, 2024

1. The Petitioner M/s Khetan Enterprises has filed the instant petition under clause 4.7 of the (Electricity Supply Code) Regulations, 2015 seeking necessary approval to take H.T. connection on 33 KV line from JBVNL for contract demand of 500 KVA to 600 KVA.

2. The Petitioner in its petition has prayed for the following relief:

(a) To set aside and quash the letter no 2576 dated 25.11.2023 issued by Respondent wherein the request of petitioner to enhance the load capacity from 500 KVA to 600 KVA on 33 KV line has been rejected.

(b) For necessary approval to allow the petitioner to take H.T. connection on 33 KV line from JBVNL for contract demand of 500 KVA to 600 KVA.

(c) 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. Learned Counsel for the Petitioner has submitted that the concerned unit of the petitioner firm is primarily involved in manufacturing of 'Quartz', 'Quartz Powder' and 'Tundish Board'. The Petitioner has elaborated the production process of its unit as follows:

a. Quartz and Quartzite Powder: As first step, quartz and quartzite stones are obtained from the mines in the form of lumps. These are crushed with the help of jaw crusher up to 20 mm sizes. These small chips are fed into the ball mill through a conveyor feeder full of ball mill. Loaded with 30% capacity by quartz balls, rotates with stone chips fed into this process, these chips are grinded by balls. The grinded powder regularly comes out from the outlet of the ball mill. The powder lifted to a cello through bucket elevator. Finally, the powder is packed in HDPE bags and sent to the customers.

b. Tundish board: Silica sand is the major raw material of this product. Other material includes resin, glass powder, mineral wool, etc. All the materials poured into hydro pulper with certain amount of water to make a paste. The paste is further port into vibrating table fitted with required pattern. As per customer's drawing to make the board, the

board is baked in a baking chamber at certain temperature. LPG is used to maintain the required temperature of the baking chamber. Final product is packed and dispatched to customer.

c. Mineral powder: Small size mineral lumps are fed into ball mill. Rest process is same as explained above for crushing quartz and quartzite powder.

4. Learned Counsel of the Petitioner has summarized the manufacturing process and stated that in the unit of the petitioner, the stone is crushed, grinded, packed and lastly dispatched to customer and in the present situation, the plant and machinery involved in manufacturing process are "Jaw Crusher", "Ball Mill", "Conveyor and Elevator", "500 KVA Transformer", "Electrical Installation", "Erection", "Impact Mill", "Baking Furnace", "Tundish Plant" etc.

5. It was submitted that the petitioner unit is facing regular and acute problem of continuous power supply and since the work of the petitioner is highly specialized and technical, therefore the firm needs uninterrupted power for doing manufacturing process at plant. It was also asserted that the electricity supply of the respondent is inconsistent and irregular, as such, the petitioner was constrained to approach the Respondent-JBVNL for supply of electricity on 33 kV line.

6. Learned counsel for the petitioner submitted that the Petitioner has applied for enhancement of load from 500 KVA to 600 KVA in terms of regulation 7.16.1 of the JSERC (Electricity Supply Code) Regulations, 2015 in the prescribed performa provided as "Annexure-7" to the regulation on 04.10.2023 and further submitted that 33KV line of JBVNL is crossing near to premise of the petitioner site and hence no extra capital investment is required to be made by JBVNL.

7. It was submitted that the petitioner is filing the petition under clause the 4.7 of the JSERC (Electricity Supply Code) Regulations, 2015 seeking necessary approval of the Commission to allow it to take service under HT connection from respondent JBVNL at supply voltage of 33KV, which reads 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. "

8. It was further submitted that the respondent JBVNL might not have any difficulty in allowing the HT service connection to the petitioner firm at supply voltage of 33KV for having contract demand of 500 KVA at present and enhancing to 600KVA and the technical condition of the respondent JBVNL is perfectly alright and feasible to allow supply voltage at 33KV to the petitioner firm for enhancement of contrary demand from 500 KVA to 600 KVA.

9. It was submitted that the petitioner has paid the energy bills regularly without any default and there is no arrear or outstanding amount.

10. Learned counsel for the petitioner during the course of hearing has submitted that the petitioner is ready and willing to forego voltage rebate and bear the expenses, if any, to get connected at 33kV voltage level of supply.

Submission of the Respondent

11. Learned Counsel of the Respondent submitted that the petitioner M/s Khetan Enterprise had initially applied for enhancement of load from 15kVA to 220 kVA (LTIS- Demand base tariff consumer No. BDJ14176 to HTS tariff) under the name of M/s Nikhil Khetan. The enhancement of load approved vide letter no 108 dated 27.06.2018 on 11kV supply under HTS tariff having consumer no DVM-17 on submission of bank guarantee of HDFC bank amounting to Rs.11,43,100/-.

12. It was also submitted that M/s Khetan Enterprises further applied for enhancement of load from 220kVA to 315kVA on 11kV supply under HTS tariff on dated 10.07.2020.

13. The Respondent further submitted that M/s Nikhil Khetan had applied online for the change of name from M/s Nikhil Khetan to M/s Khetan Enterprises vide application no 637006840566275377, application fee amount Rs.500/- vide Rt.No.691946 dated 11.07.2020.

14. Learned Counsel of the Respondent further submitted that load enhancement from 220 to 315 kVA was done vide letter no.3097 dated 08.09.2020 and subsequently another load enhancement from 315kVA to 500kVA on 11kV supply was approved vide EEE letter no.243 dated 25.02. 2023 and on the request of petitioner it was again enhanced upto 600KVA vide letter no.1661 dated 24.07.23.

15. It was further submitted that the petitioner again applied for enhancement of load from 500kVA to 600kVA on 33kV supply under HTS tariff. The petitioners request from load enhancement from 500 kVA to 600kVA on 33kV supply was rejected vide letter no.2576 dated 25.11.2023 in accordance to Supply Code Regulation,2015, clause no A4:4.3(for High Tension).

16. It was pointed out by the respondent that supply shall generally be given at the following voltages on the basis of contracted load:

"Contracted load exceeding 1500 kVA kVA and upto 10000kVA-3 phase at 22kV/33kV."

However, as per clause 4.7 of JSERC (Electricity Supply Code) Regulations, 2015 and depending upon the technical conditions of the distribution system, the respondents may give supply at a voltage and phase other than classification of supply in clauses 4.3 of the Regulations subject to the Commission's approval.

Commissions Observation and Findings

17. The Commission considered the submission made by the parties and perused the materials available on records.

18. Clause 4.7 of the JSERC (Electricity Supply Code) Regulations, 2015 reads 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 of these Regulations, subject to the Commission's approval".

19. The respondent has no objection in providing power supply at 33KV voltage

level to the petitioner premises.

20. The Petitioner during the course of hearing has consented and admitted of not claiming voltage rebate for availing supply of power at 33kV with an enhanced contract demand of 600kVA from 500 kVA and shall bear necessary installation cost of bringing 33kV line to its factory premises if any.

In the result, it is ordered as:

ORDER

21. Considering the facts and circumstances of the case and keeping in view the role of quality power required for the nature of work of the Petitioner's unit, the prayer of the petitioner is allowed. The respondent may allow H.T. connection service to the petitioner at supply voltage at 33kV with an enhanced contract demand of 600kVA after ensuring proper arrangement of metering, billing and network system protection.

22. It is also hereby clarified that the Petitioner shall bear necessary installation cost of availing power from nearest existing 33kV line to its factory premises, if any, and shall not avail voltage rebate corresponding to 33kV voltage level as per JSERC (Electricity Supply Code) Regulations, 2015 as admitted by the petitioner.

23. In the result, the petition is disposed off in terms of the direction made in the above order.

Sd/- Sd/-

Member(T) Member(L)