

**IN THE JHARKHAND STATE ELECTRICITY REGULATORY
COMMISSION AT RANCHI**

Case No. 33 of 2024

Jharkhand Bijli Vitran Nigam Limited.Petitioner
Versus
M/s Usha Martin Limited Respondent

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

For the Petitioner : Mrs. Anita Prasad, DGM (T&RA), JBVNL
For the Respondent : Mr. M.S. Mittal Sr, Advocate & Mr. N.K.Patodia,
Usha Martin Ltd.

Date – 20th December, 2024

1. The instant petition has been filed by Jharkhand Bijli Vitran Nigam Limited (hereinafter referred to as the petitioner) under clause 4.1 of the JSERC (Utilization of Surplus Capacity of Captive Power Plants based on Conventional Fuel) Regulations, 2023 for approval of draft CPP Agreement to be executed between the petitioner and the respondents for synchronization of 20 (2x10) MW Captive Power Plant of M/s Usha Martin Ltd., Tatisilwai (herein after referred to as the Respondent) with the grid of the petitioner, with standby contract demand /support of 15 MVA along with banking arrangement as per Clause 8 of aforesaid CPP Regulation, 2023.
2. The petitioner in its petition has prayed for the following reliefs:-
 - (a) For approval of the draft CPP agreement to be executed between the petitioner and the respondent for synchronization of 20 (2x10) MW Captive Power Plant of M/s Usha Martin Ltd., Tatisilwai with the grid of the petitioner, with standby contract demand /support of 15 MVA along with banking arrangement as per Clause 8 of aforesaid CPP Regulation, 2023.
 - (b) For such other order or orders as this Commission deem fit and proper in the interest of the justice.

Submission of the Petitioner

3. Learned counsel for the petitioner submitted that the petitioner is a state run distribution licensee and is engaged in the business of supply of electricity to all the categories of consumers within the State of Jharkhand and the respondent is engaged in manufacturing wire ropes and speciality products and the production process of wire ropes and speciality requires uninterrupted electricity supply with a purpose to meet the continuous/uninterrupted electricity supply.
4. It was submitted that the respondent has established a captive power plant of 20(2x10) MW at their factory site at Tatisilwai, within its campus for a purpose to meet the continuous/uninterrupted electricity supply.
5. It was further submitted that the respondent having need of emergency power/standby support of 15 MVA and also for the purpose of banking arrangement, desires to enter into a CPP agreement with the petitioner-JBVNL for connectivity/synchronization with its grid system. It was also

submitted that an agreement was signed on 27.09.2022 and subsequently an agreement dated 01.08.2023 was executed between the parties, having validity period upto 31.03.2025 in terms of JSERC (Utilization of Surplus Capacity of Captive Power Plants based on conventional fuel) Regulation, 2010.

6. It was submitted that the petitioner in compliance of CPP Regulation, 2023 has prepared the draft CPP agreement for execution and extension of CPP agreement which has been vetted by the competent authorities and filed before the Commission for approval before executing it.

Submission of the Respondent

7. Learned counsel for the respondent submitted that the final draft of the CPP agreement has been prepared in accordance with CPP Regulation, 2023 and the respondent is agreeable to all the terms and conditions of the proposed CPP agreement filed for approval.
8. It was also submitted that the respondent has no objection on approval of the draft CPP agreement.

Commission Observation and Findings

9. The Commission has considered the submission made by the parties and perused the materials available on records.
10. Clause 4.1 of the JSERC (Utilization of Surplus Capacity of Captive Power Plants based on Conventional Fuel) Regulation, 2023 reads as under;
“ 4.1 Any CPP with an installed capacity of 1 MW and above and willing to sell the surplus power to a Licensee within the state shall be required to enter into a Captive Power Plant (CPP) Agreement with the Licensee. The Licensee shall prepare and submit to the Commission a CPP Agreement to be signed with the CPP, for the Commission’s approval.” And ;
11. The Commission found that both the parties have mutually agreed to execute the draft CPP agreement on the terms and conditions specified in it as per relevant provision of the aforesaid CPP Regulation, 2023.

In the result, it is ordered as;

ORDER

12. Considering the facts and circumstances of the case, the prayers of the petitioner are allowed. The Commission hereby approves the draft CPP agreement to be executed between the parties for synchronization of 20 (2x10) MW Captive Power Plant of M/s Usha Martin Ltd., Tatisilwai with the grid of the petitioner, with standby contract demand /support of 15 MVA along with banking arrangement as per CPP Regulation, 2023.
13. The petition stands disposed of with the aforesaid direction.

Sd/-
Member (T)

Sd/-
Member (L)