

ODISHA ELECTRICITY REGULATORY COMMISSION
BIDYUT NIYAMAK BHAWAN, PLOT NO-4,
CHUNUKOLI, SHAILASHREE VIHAR,
BHUBANESWAR - 751 021

Present : Shri S. P. Nanda, Chairperson
Shri S.P. Swain, Member
Shri A.K. Das, Member

Case No.14/2011

M/s Malati Steels (P) Ltd	Petitioner
Vrs.		
E.E.(Elect.), KED, Keonjhar	Respondent

In the matter of: Application under Sec. 142 of the Electricity Act, 2003.

ORDER

Date of Order:29.07.2016

The petitioner M/s. Malati Steels (P) Ltd., Chadeibhol, Ghasada, Mayurbhanj has filed an application under Section 142 of the Electricity Act, 2003 for non-compliance of the Order dated 30.07.2010 passed in C.C. Case No. 168/2010 of the GRF, Jajpur Road, NESCO on the issue of voltage fluctuation, voltage improvement and compensation towards loss and damaged due to low voltage and interruption.

2. The said application was last heard by the Commission on 04.08.2011 and the Commission at Para-5 to 9 of its interim order dated 11.08.2011 had observed the following:-

“(5) Commission noted that extensive augmentation of line by replacing lower size conductor to higher size conductor and exclusive VCB for the dedicated 33 KV feeder to the consumer premises has been done by the Licensee. The damaged cable connection upto the consumer switch board for giving service connection has also been replaced and the line has been charged after due restoration work. The initial voltage readings at the strategic location such as 132/33 KV Palaspanga (LV Side), Keonjhar & Turumunga 33/11 KV S/S, 33 KV cubicle terminal as well as inside premises of M/s Malati Steel after the charging of the 33 KV system on 30.07.2011 at 7.54 hrs. on no load of M/s Malati Steel is found to be satisfactory. The respondent may also co-operate to take joint meter readings both at peak and off-peak hours after the industry becomes operational and started taking its full load.

(6) The Commission directs M/s Malati Steel – the petitioner to deposit at least 50% of the arrear amount keeping aside the amount stayed by Hon’ble High Court in WP(C) No.9160/2010 and WP(C) No.1269 of 2010 (provided the stay still is continuing) on or before 31.8.2011 along with the current bill for July, 2011 and the balance arrear upto 30.6.2011 would be paid after 30 days from the date of running

of the factory. However, the current monthly bill from August, 2011 onwards shall continue to be paid in time.

(7) Regarding the request of M/s Malati Steel to extend the supply from Karanjia 132/33 KV S/S of M/s OPTCL instead of the existing supply from Turumunga 33/11 KV S/S, the respondent (M/s NESCO) representative in reply to specific query of the Commission stated that the scheme is feasible and it is expected the voltage regulation also likely to be improved than the present situation. However, the revised arrangement would require extension of 12 Km. dedicated 33 KV feeder to the consumers premises and the present 7 Km. of 33 KV dedicated feeder could be defunct. The Commission feels that as extensive augmentation has been done in the existing arrangements it would be desirable to let the present connectivity be given a fair trial say for 3 to 4 months. If the voltage regulation and interruption (due to long 33 KV line with intermittent 33/11 KV S/S) is found to be unsatisfactory, the licensee and consumer may discuss suitable changes in the connectivity from Karanjia S/S after considering the feasibility of possible utilization of the present 7 Km. dedicated 33 KV feeder with required re-routing.

The revised connectivity of the consumer with the DISCOM be done in accordance with OERC Regulation, for a new application of connectivity and remunerative calculation for the additional investment.

(8) The compliance to the direction given in para-6 should be reported before 10.9.2011 and the status of the receiving end voltage and interruption details be submitted to the Commission after 15 days continued operation of the consumer's industry.

(9) Put up the case after such compliance."

3. In complying to the above direction of the Commission, the respondent, the Executive Engineer (Elect.), KED, NESCO vide its submission dated 14.09.2011 had submitted that M/s. Malati Steels Pvt. Ltd. has already paid 50% of the arrear amount from March, 2011 to June, 2011 along with current bill of July, 2011 for Rs. 22, 96, 177.00 vide Money Receipt No. 1193754 dated 29.08.2011. He has intimated the consumer for joint measurement of voltage vide Letter No. 1582 dated 24.08.2011 & Letter No. 1663 dated 06.09.2011. But the Consumer did not attend the joint measurement of voltage profile and also not intimated the exact date operation of their industry with full load. However voltage measurement at different locations have been taken by the MRT personal of NESCO on dated 09.09.2011 at 132/33 KV Gris S/S, Palasponga ad at Keonjhar 33/11 KV S/S for Turumunga feeder. Accordingly, the Executive Engineer (Elect.), KED, NESCO had submitted the voltage profile of Palasponga 132/33 KV Grid S/S of 09.09.2011 along with the 33/11 KV Sub-stations at Keonjhar and Turumunga and also 33 KV cubicle terminal and inside premises of M/s. Malati Steels Pvt. Ltd. The Executive Engineer (Elect.), KED, NESCO had further submitted that an arrear of Rs. 1, 10, 55, 080.00 was outstanding against M/s. Malati Steels Pvt.

Ltd. up to 31.08.2011 and they are not interested to run their industry at present due to their own reason. He prayed the Commission to direct the petitioner to pay the arrear electricity dues.

4. However, the petitioner M/s. Malati Steels Pvt. Ltd. did not submit the compliance report to the Commission's interim order dated 11.08.2011.
5. Now, the Commission vide its Letter No. 567 dated 02.05.2016 asked both the parties to file the present status of the matter within 15 days pass an appropriate order in this case. Accordingly, the respondent, the Executive Engineer (Elect.), KED, NESCO submitted as before and indicated that an arrear of Rs. 29251284.00 is outstanding against the petitioner/consumer up to 31.07.2014. The petitioner/consumer is taking different stands to avoid clearance of the arrear electricity dues and the petitioner/consumer is not interested to run their industry for its own difficulties. Therefore, he prayed the Commission to dismiss/drop the case filed u/S. 142 of the Electricity Act, 2003 and direct the petitioner/consumer to pay the electricity dues. Now also the petitioner M/s. Malati Steels Pvt. Ltd. did not give the reply to the above letter of the Commission.
6. In view of the above, the Commission observed that the said order of the GRF has been complied with by the respondent after the directions issued by the Commission vide its interim orders passed in the present case. Hence, there is no need to proceed further in the present case. However, the respondent is directed to recover its arrear, if any, in accordance with law.
7. Accordingly, the case is dropped.

Sd/-
(A.K. Das)
Member

Sd/-
(S.P. Swain)
Member

Sd/-
(S.P.Nanda)
Chairperson