

CONSUMER GRIEVANCE REDRESSAL FORUM

CENTRAL REGION

(Formed under Section 42(5) of the Electricity Act 2003)

220 kV Substation Compound, HMT Colony P.O., Kalamassery, Pin – 683 503
Phone No. 0484-2556500 Website: cgrf.kseb.in, Email: cgrf.ekm@gmail.com,
CUG No. 9496008719

Present

(1) Smt. Sheeba. P
 (2) Sri. Biju Varghese

Chairperson
 3rd Member

Petitioner

Sri. George Thomas Muthoot,
 Managing Director,
 Muthoot Cardamom County Resorts,
 Kumily, Thekkady, Idukki

Respondent

The Deputy Chief Engineer,
 Kerala State Electricity Board Ltd,
 Electrical Circle,
 Thodupuzha
 (Electrical Section, Kumily)

No.CGRF-CR/OP No.61/2023-24

Date: 13.12.2023.

ORDER

Background of the case:

M/s Muthoot Cardamom County Resorts is a High Tension (HT) consumer under Electrical Section, Kumily having sanctioned connected load of 169.684 KW with consumer number 1357080000987. The petitioner applied for the energization of their solar power generation plant for which the Energisation Sanction Order from the Department of Electrical Inspectorate was obtained on 14/08/2023. However, during an inspection on 05/09/2023, the Anti Power Theft Squad (APTS) of the licensee discovered unauthorized additional load (UAL) of 93.5448 KW at the petitioner's premises. The dispute regarding UAL is presently pending before the Appellate Authority. Consequently, the respondent has taken a stance against processing the solar energisation application for premises with UAL due to safety concerns. In light of this, the petitioner has approached this Forum seeking redressal for their grievance.

Version of the Petitioner:-

The petitioner stated that they have applied for energizing the solar panels installed at the premises. But the respondent refused to process the application. The respondent stipulates a precondition that the process of application can be made only after removing or regularizing the unauthorized connected load detected in the premises. The case in regard with alleged UAL and penalization is presently pending before the Appellate Authority. The petitioner further stated that the installation of solar panels at the premises of the petitioner has already been completed. Delay in energizing the solar panels causes to make huge loss to the petitioner as well as to the KSEBL. The petitioner contends that no Regulation can be found in the Kerala Electricity Supply Code, 2014 in justifying the respondent's omission in processing the application and, there is no clause in the HT agreement which stands against energizing the solar panels.

Version of the Respondent:-

The petitioner is an HT Consumer with a connected load of 169.684 KW and contract demand 100 KVA under Electrical Section, Kumily. In an inspection conducted on 05/09/2023, APTS, Vazhathope found that the total connected load at the premises is 263.2725 kw. The Assessing Officer reached to the conclusion that the petitioner is using an unauthorized additional connected load of 93.5885 KW. The assessing officer thus served the penal assessment bill accordingly to the petitioner. Moreover, the respondent has directed the petitioner to disconnect forthwith such additional load.

As per Energization Sanction Order No.B1-1842/23/EII dated 14/08/2023, the petitioner has obtained scheme approval only for the load of 169.684 KW + 65 KVAR + 10HP. Since the connected load in the approved scheme does not include the unauthorized additional connected load, that is, 93.5885 KW, the process of application for energizing the solar plants requires either the removal or regularization of the unauthorized additional connected with new scheme approval. Otherwise, it would be a violation of the Central Electricity Authority (Measures relating to safety and electric supply) Regulations, 2010.

Hence the defect note dated 23/09/2023 was given to the petitioner. The petitioner has to cure the defect either by removing that unauthorized additional load or to get a new sanction forenergizing the total load including the additional load.

Analysis and findings:

Hearing was conducted at the Conference hall of Electrical Circle Thodupuzha on 20/11/2023. The Forum afforded an opportunity to hear the Petitioner and the Respondent. Both the petitioner and the respondent were present for hearing. Having examined the petition in detail and the statement of facts of the respondent, considering all the facts and circumstances in detail and perusing all the documents of both sides, the Forum comes to the following observations, conclusions and decisions thereof.

Here, the petitioner is a High Tension (HT) Consumer having sanctioned connected load of 169.684 kW. On 05/09/2023, the Anti Power Theft Squad (APTS) conducted an inspection in the premises and detected an unauthorized additional load (UAL) of 93.5885 KW. The assessing officer has served an assessment as per Section 126 of Electricity Act, 2003 accordingly. Now the dispute regarding this UAL is pending before the Appellate Authority.

During the hearing, the petitioner asserted that they installed a 92 kWp solar plant at their premises after receiving feasibility approval from KSEBL. Subsequently, after obtaining Energisation Sanction from the Department of Electrical Inspectorate, they requested the respondent to energize the solar plant. However, the respondent is not taking any steps to energise the solar plant citing the detection of unauthorized additional load (UAL) at the petitioner's premises as the reason. The petitioner argued that the dispute of UAL is currently pending before the Appellate Authority. The petitioner added that the delay in processing the energisation process is hindering them to use the solar-generated power for their own needs and export it to KSEBL's Grid. Consequently, this is causing financial losses for both the petitioner and KSEB.

In response, the respondent replied that, on 05/09/2023, the APTS team conducted an inspection in the premises of the petitioner and detected an UAL of 93.5885 kW which is in addition to the load sanctioned in the energization sanction Order issued by Electrical Inspector dated 14/08/2023. Consequently, the respondent argued that for safety reasons, the petitioner must either remove or regularize the UAL before the solar power plant to be energized.

The Sub-Regulation 5 of Regulation 18 in the Kerala Electricity Supply Code, 2014, explicitly outlines the necessity for approval from the Electrical Inspector for on-grid generators. The Regulation is as follows:-

Regulation 18. Parallel operation of the generator of the consumer with the supply system of licensee:-

(5) “Approval of Electrical Inspector as specified in the Central Electricity Authority (Measures Relating to Safety and Electric Supply) Regulations, 2010 shall be obtained before the generating plant of the consumer is synchronized with the grid.”

In this particular case, an UAL has been detected in the petitioner's premises during an inspection conducted by the APTS Team. The dispute concerning this UAL is presently pending before the Hon’ble Appellate Authority. This UAL was detected after the date of approval for energization sanction from the Electrical Inspector.

Regulation 153(2) of Kerala Electricity Supply Code, 2014 defines unauthorized additional load as follows-

“The difference between the total connected load in the premises of the consumer at the time of inspection and the sanctioned load of the consumer shall be reckoned as unauthorised additional load.”

Further, Regulation 153 (6) of the Kerala Electricity Supply Code, 2014 explains sanctioned connected load of demand-based tariff consumers which reads as follows:-

“In the case of consumers billed under demand-based tariff, the total load declared in the test cum completion report of the installation of the consumer, submitted at the time of availing connection or the load mentioned in the energisation approval granted by the Electrical Inspector or the load at the time of revising contract demand or revising the connected load may be taken as the sanctioned connected load.”

Provision in the Regulation 153 (10) of the Kerala Electricity Supply Code, 2014 explicitly highlights the importance of adhering to safety Regulations when dealing with the regularization of additional loads which reads as below:-

“Provided that such regularisation of additional load and enhancement of contract demand shall be done only after ensuring that wiring has been done in conformity with the provisions of Central Electricity Authority (Measures relating to safety and electric supply) Regulations, 2010 as amended from time to time.”

Regulation 15 (1) &(4) of the Kerala Electricity Supply Code 2014 dealt with the Wiring in the premises of the consumers and is statedas below:-

Regulation 15. Wiring in the premises of the consumer:-

“(1) The work of wiring at the premises of the consumer shall be carried out by a licensed electrical contractor and shall conform to the standards specified in the Central Electricity Authority (Measures relating to Safety and Electric Supply) Regulations, 2010, as amended from time to time and such other regulations relating to safety and standards of electrical supply.

(4) Approval from the Electrical Inspector shall be obtained for the electrical installations in the case of;

(i) HT or EHT service;

(ii) multi storied building of height above 15 M;

- (iii) installation involving stand by generator;*
- (iv) neon sign board;*
- (v) X-ray unit;*
- (vi) lift and escalator; and for*
- (vii) temporary connection where more than 100 persons are likely to assemble.*

Given the aforementioned circumstances, this Forum evaluates that the petitioner is classified as a High Tension (HT) consumer and it is obvious that the unauthorized load, detected by the APTSteam in the petitioner's premises, will also draw power from the solar generation plant once it is energized by the licensee. Such a situation raises concerns about safety violations in accordance with the provisions of Central Electricity Authority (Measures relating to safety and electric supply) Regulations, 2023.

DECISION:

Considering the above facts and circumstances, the Forum issues the following orders:-

- 1. Due to the detection of unauthorized additional load in the petitioner's premises, which was not included in the energization sanction obtained from the Electrical Inspector as sanctioned load, the solar power plant cannot be energized at this moment. This decision is made in consideration of safety concerns.**
- 2. No cost ordered.**

The petitioner is at liberty to file appeal before the State Electricity Ombudsman, D.H. Road, Off shore Road Junction, Near Gandhi Square, Ernakulam, Pin – 682 016 (Ph: 0484 -2346488 , Mobile No. 8714356488) within 30 days of receipt of this order, if not satisfied with this decision.

Dated this 13th day of December 2023

Sd/-
Sri. Biju Varghese
3rd Member
CGRF, Ernakulam

Sd/-
Smt. Sheeba. P
(CHAIRPERSON)
CGRF-CR, Ernakulam

Endt. On CGRF-CR/OP No.61/2023-24 Dated
Delivered to

Sri. George Thomas Muthoot,
Managing Director,
MuthootCardamom County Resorts,
Kumily, Thekkady, Idukki

Sd/-
CHAIRPERSON
(DEPUTY CHIEF ENGINEER)
CGRF-CR, KALAMASSERRY

Copy submitted to: 1) The Secretary, KSEBL, Vydhyuthi Bhavanam, Pattom,
Thiruvananthapuram.
“ 2) The Secretary, Kerala State Regulatory Commission,
KPFC Bhavanam, C.V Raman Pillai Road, Vellayambalam,
Thiruvananthapuram.

Copy to the Deputy Chief Engineer, Kerala State Electricity Board
Ltd., Electrical Circle, Thodupuzha.