

**CONSUMER GRIEVANCE REDRESSAL FORUM  
KERALA STATE ELECTRICITY BOARD LTD- SOUTHERN REGION  
VYDYUTHI BHAVANAM, KOTTARAKKARA**

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Present: 1. Smt.Laila.N.G,Deputy Chief Engineer, Chairperson  
2. Sri. Sanjeev Koshy,Executive Engineer, Member II  
3. Sri.C.K.Harikumar,Advocate,Member III

Wednesday 14<sup>th</sup> February ,2024

**OP No.83/2023**

Between

Petitioner: Sabu Johny, Managing Director  
EVM Passenger cars India Pvt Ltd.,  
M.C.Road, Idinjillam, Thiruvalla.

And

Respondents: (1) The Assistant Executive Engineer,  
Electrical Sub Division, Thengana.

(2) The Assistant Engineer, Electrical Section,Thrikkodithanam

**ORDER**

**1. Grievance of the petitioner**

The petitioner is a commercial consumer bearing consumer No.1146408017269 under Electrical Section Thrikkodithanam. It is submitted that the petitioner submitted a request for reducing the contract demand from 79 to 70 kVA and enhancing connected load from 79 kW to 132 kW on 16.06.2023 (Copy marked as Exhibit P1) But the licensee has not taken any steps on this request. Even after several follow-ups in Licensee's office, they have issued an invoice for Rs.5,12,655.00 for installing a separate transformer having a capacity of 100 kVA for regularizing the connected load.

It is submitted the registered contract demand is 79.974 kVA and the present maximum demand is 40 kVA much below than the registered contract demand. Further, the consumers who opt demand based tariff is purely optional and in this category their Contract Demand shall be treated as connected load.

The consumer has to declare the Contract Demand in kVA by executing a supplementary agreement showing the Contract and details of connected load in their premises (Copy marked as Exhibit P2). As per demand based tariff the

consumer is allowed to revise the declared Contract Demand upwards or downwards within six months from the date of option without any conditions or charges. The billing demand of such consumers shall be the recorded maximum demand or 75% of the Contract Demand whichever is higher, which means there is no relevance of connected load in this category of consumer. Please note that this is a facility given to the consumers who opt for Demand Based Tariff.

In view of the facts, the Licensee's direction to install a 100 kVA transformer for reducing the contract demand from 79 to 70 kVA is against all Rules and Regulations under Electricity Act, 2003.

As per argument sake if the existing transformer is over loaded, it is the duty of Licensee to regularize the loads after enhancing capacity of transformer or rearranging the loads. Hence it is not just and proper to demand estimate cost from the consumer who opts for demand based tariff.

It is submitted that the petitioner submitted a reply to the Licensee's letter dated 14-08-2023 on 14-09-2023 but the same has been summarily rejected and he has sent with registered post (Copy marked as Exhibit P3)

Being these are the facts, it is request to direct the respondent to take necessary steps to regularize the additional load requested without installing a separate transformer.)

## **2. Version of the respondent**

The consumer Sri Sabu Johny EVM Motors is a commercial consumer bearing consumer No 1146408017269 under Electrical Section Thrikkodithanam. The consumer is a LT three phase consumer under LT 7A tariff with connected load of 79 kW. The consumer is under normal connected load-based tariff.

On 16-6-2023, the consumer submitted an application at Electrical Section office Thrikkodithanam for enhancing the connected load of his LT connection from 79 kW to 132kW. In the same application he has requested for opting demand-based tariff and the requested contracted demand is 70 kVA.

The report is as follows, the petitioner is feeding from 100kVA MLA transformer under Electrical Section ,Thrikkodithanam.

### **Energy meter details of the consumer premises**

Date and time of Inspection :18/01/24 at 13.30 hrs Load Ampere Displayed in R Phase of the consumer energy meter :87 A Load Displayed in Y Phase of the consumer energy meter :105 A Load Displayed in B Phase of the

consumer energy meter:86.7 A At the time of inspection recorded KVA of the consumer energy meter :37.8 KVA.

Recorded Maximum demand from 01/1/2024 to 18/01/24 upto 13.30 hrs of the consumer energy meter

T1 zone= 54.6 KVA

T2 zone= 37.8 KVA

T3 zone= 4.8 KVA

Recorded Maximum demand of the consumer energy meter during previous month December

T1 zone = 59.1 KVA

T2 zone = 45 KVA

Load Ampere at the time of 13.35 hrs on 18/01/2024 at LT side of 100 KVA MLA Transformer where from the consumer is feeding

R Phase load current:82 A

Y Phase load current:130 A

B Phase load current : 116 A

Approximately at the same time energy meter details of the consumer premises and 100 kVA MLA transformer load current details were taken and measured ( ~13.30 hrs on 18/01/2023). ( The consumer premises is a shop, Car Showroom, hence less load variation during 5 mts interval)

Recorded KVA of the consumer energy meter at ~13.30 hrs on 18/01/2023 is 37.8 KVA

Measured Y phase load current of MLA transformer at ~13.30 hrs on 18/01/2023 is 130

If the consumer connected load is enhanced to 132 KW with the contract demand of 70kVA.

The probable load ampere at LT side Y phase of MLA 100 KVA transformer  
 $= (130A / 37.8kVA) \times 70kVA = 240A$

The probable load ampere at LT side B phase of MLA 100 KVA transformer  
 $= (116 / 37.8) \times 70 = 214 A$

The probable load ampere at LT side R phase of MLA 100 KVA transformer  
 $= (82 / 37.8) \times 70 = 151A$  LT side load current of 100kVA MLA transformer will become much higher than the full load current of the transformer if the connected load enhanced to 132kW with contract demand of 70kVA at the consumer premises.

Hence it is not technically feasible to enhance the connected load from 79 kW to 132 kW with contract demand of 70kVA of the consumer feeding from present the 100KVA MLA transformer. The connected load of 132 Kw there is a probability that maximum demand of the consumer may exceed the contracted demand of 70 KVÀ at any time in demand based tariff.

Enhancement of connected load and contract demand can be feasible either by replacing the existing 100kVA MLA transformer with 160 kVA transformer or by providing separate 100kVA transformer at the consumer premises.

Demand note of Rs.5,12,655/- for providing separate 100kVA transformer is already forwarded to the consumer Estimated amount for enhancing the existing 100kVA MLA transformer to 160kVA is Rs. 3,18,555 /-

### **3. Analysis and Findings**

The hearing was conducted on 17/01/2024. Both the respondent and the petitioner were present and heard the matter in detail. On going through the petition and other documents in the file the Forum viewed that the case is with regard to regularization of additional connected load without installing a separate transformer and reducing the contract demand from 79 KVA to 70 KVA. The petitioner contented that his connected load has to be enhanced from 79 KW to 132 KW and the contract demand has to be reduced from 79 KVA to 70 KVA. The respondent informed that additional connected load is not technically feasible from the existing 100 KVA transformer and proposed a new 100 KVA transformer, the installation cost amounts to Rs.5,12,655, which was not acceptable by the petitioner. So detailed report was sought from the respondent regarding the technical feasibility and submitted the same on 19/01/2024. It is shown that the recorded KVA of the consumer energy meter at 13.30 hrs on 18/01/2023 is 37.8 KVA measured Y phase load current of MLA transformer at 13.30 hrs on 18/01/2023 is 130 A. LT side load current of 100 KVA MLA transformer will become much higher than the full load current of the transformer if the connected load enhanced to 132 KW with contract demand of 70 KVA at the consumer premises. Hence it is not technically feasible to enhance the connected load from 79 KW to 132 KW with contract demand of 70 KVA of the consumer feeding from present the 100 KVA MLA transformer. The connected load of 132 KW there is a probability that maximum demand of the consumer may exceed the contracted demand of consumer may exceed the contract demand of 70 KVA at any time in demand based tariff. The respondent also

proposes to enhance the existing 100 KVA MLA transformer to 160 KVA transformer for which the estimated cost amounts to Rs.3,18,555/- only.

The forum is of the view that as per supply code and tariff regulations, the maximum contract demand of consumer under demand based tariff shall be considered as his connected load and in this context, reduce a maximum demand of this consumer than the present connected load shall genuinely be allowed. However the consumer can avail maximum demand over and above his declared contract demand by paying extra charges. Also maximum demand is calculate by energy meter over an integration period of 15 minutes and short time over load will not be recorded in the meter. The license has objection and authority to decide whether the existing supply network healthier enough to handle such short time overload and also enhanced consumption over and above declared maximum demand that may arise due to additional connected load of the consumer. The technical feasibility for allowing enhance a connected load has to be decided by license. If the present infrastructure is not capable to handle the demand the infrastructure need to be enhanced with suitable alteration/ addition.

The Forum views that as per the section 46 of Indian Electricity Act 2003 State commission may be regulations to authorize a distribution licensee to charge from a person requiring a supply of Electricity in pursuance of section 43 any expense reasonably incurred in providing any electric line or electric plant used for the purpose of giving that supply.

Kerala State Electricity Supply code 2014, regulation 99, Sub regulation 3 (b) states that “ addition or alternation if any required to be made to the distribution system and the expenditure to be borne by the consumer on that account”.

Regulation 99 Sub regulation (3c) states that amount of additional security deposit and expenditure for alternation of service line and apparatus if any to be deposited in advance by the consumer”.

As per regulation 99 (5) (a)” if the enhancement of load is possible, the consumer shall pay additional security deposit, expenditure for alternation of service line and apparatus if any required to made and cost to be borne by the consumer for modification for distribution system if any within 15 days of receipt of demand note and execute a supplementary agreement.”

As per regulation 99 (5) (b) “ if the consumer pays the required charges and execute a supplementary agreement the licensee shall execute the work of modification of the distribution system, service line, or meter and other apparatus within the time line specified and sanction the additional contract demand or connected load”.

Hence the Forum views that it is not technically feasible to meet the additional connected load from the existing transformer.

#### **4. Decision**

Considering the facts and circumstances of the case mentioned above the Forum ordered as follows.

1. The respondent is directed to execute the work after the petitioner remitting the estimate amount (revised) if the petitioner desires so. Also the work can be withheld and it can be proceed according the enactment of Supply Code 2024,if the petitioner desires.
- 2.No order as to cost.

If the petitioner is not satisfied with the above order of this Forum, he is at liberty to prefer appeal before the Electricity Ombudsman within 30 days from the date of receipt of this order.

The address of the Electricity Ombudsman is furnished below.

*‘The State Electricity Ombudsman, D.H & Foreshore Road Junction, Near Gandhi Square, Ernakulam, Kerala - 682 016. Phone: 0484 2346488’.*

Sd/-  
C .K.HARIKUMAR  
ADVOCATE  
MEMBER III

Sd/-  
SANJEEV KOSHY  
EXECUTIVE ENGINEER  
MEMBER II

Sd/-  
LAILA.N.G  
DEPUTY CHIEF ENGINEER  
CHAIRPERSON

Forwarded

Sd/-  
CHAIRPERSON  
(DEPUTY CHIEF ENGINEER)

No: CGRF/KTR/OP No.83/2024/43

Dated : 15 /02/2024

Delivered to: 1. Sabu Johny, Managing Director, EVM Passenger cars India Pvt Ltd., M.C.Road, Idinjillam, Thiruvalla.

2. The Assistant Executive Engineer, Electrical Sub Division, Thengana.

3. The Assistant Engineer, Electrical Section , Thrikkodithanam.

Copy to:

1. The Secretary, KSERC, KPFC, Bhavanam,Vellayambalam, TVPM.
2. The Deputy Chief Engineer, Electrical Circle, Kottayam.
3. The Executive Engineer, Electrical Division , Changanachery.

