

MADHYA PRADESH ELECTRICITY REGULATORY COMMISSION, BHOPAL

Sub : In the matter of reduction of contract demand from 5000 KVA to 4500 KVA under Chapter of MP Electricity Supply Code, 2004 under hearing procedure for reduction of contract demand Clause 7.9 to 7.14 be read with Clause 3.4 of Chapter 3, which governs the supply voltage for different contract demands.

Petition No. 62/2012

ORDER

(Date of hearing 18th September, 2012)

(Date of order 21st September, 2012)

M/s Parasrampur International, - Petitioner
Plot No. 423-432
Industrial Area Sector No. III,
Pithampur Dist. Dhar (MP) – 454774.

V/s

MP Paschim Kshetra Vidyut Vitaran Co. Ltd., - Respondent
GPH Compound, Pologround,
Indore – 452015.

Shri C.P.Suklecha, President, Shri A.N.Pandey, Advisor and Shri R.K.Mangal, Advocate appeared on behalf of the petitioner.

Shri Pavan Kumar Jain, ASE and Shri Anant Chaure, Law Officer appeared on behalf of Respondent.

2. The petitioner, M/s Parasrampur International, Pithampur has filed this petition.

3. Earlier, the petitioner on 25.08.2011 filed petition no. 56/2011 seeking temporary reduction in contract demand from 5000 KVA to 3600 KVA at 132 KV. After considering the precarious financial condition of the petitioner's company, the Commission, vide order dated 20.10.2011 allowed temporary reduction of contract demand from 5000 KVA to 3600 KVA for a period of six months. After the expiry of said agreement period on 19.04.2012, petitioner filed another petition for extending the said period of interim arrangement. Vide order dated 29.05.2012 the Commission dismissed the petition as not maintainable. Aggrieved by the said order of the

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Commission, petitioner filed review petition no. 50/2012 which was dismissed vide order dated 01.08.2012.

4. Now, the petitioner sought relief through this petition for reduction of contract demand to the extent of 4500 KVA in place of existing contract demand of 5000 KVA at 132 KV.

5. The case was listed for motion hearing on 01.09.2012. The Commission admitted the petition and the next date of hearing was fixed on 18.09.2012.

6. During the hearing on 18.09.2012, the representative of the petitioner reiterated the contents of the petition and submitted that the unit is registered under BIFR being a sick unit. The representative also submitted a copy of the judgment of the Hon'ble High Court, Jabalpur in Misc. Appeal Nos. 506 of 2002, 2245, 2246, 2471 of 2003 and 164 of 2004 decided on 23.03.2010 and requested the Commission to allow reduction in contract demand from 5000 KVA to 4500 KVA at 132 KV.

7. During the hearing, the representative of the respondent submitted that the request of the petitioner may not be considered because the same is not in accordance with the regulations framed by the Commission.

8. On hearing the petitioner and the respondent, the Commission is of the view that the judgment dated 23.03.2010 is not relevant in this case. The Commission has already notified MP Electricity Supply Code, 2004, as amended from time to time, which has force of law. According to the Clause 3.4 of MP Electricity Supply Code, 2004 the minimum contract demand shall be 5000 KVA at 132 KV provided that on account of technical reasons, the deviations may be permitted. The Commission has observed that the petitioner could not submit any technical reason on account of which

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reduction in contract demand below 5000 KVA can be permitted and therefore, his prayer cannot be accepted.

9. In view of the above, the petition No. 62 of 2012 stands dismissed.

Ordered accordingly,

Sd/-
(C.S.Sharma)
Member

Sd/-
(Rakesh Sahni)
Chairman