

**Sub: In the matter of enforcement of provisions of the PPA dated 18.01.2012 effective from 30.03.2010 with respect to the wind energy machine JO-10 for captive plant use in the plant situated at Guna**

**ORDER**

**(Date of hearing: 26<sup>th</sup> August,2014)**

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M/s Ruchi Soya Industries Ltd.,  
301, Mahakosh House,  
7/5, South Tukoganj,  
Indore - Petitioner

M.P. Madhya Kshetra Vidyut Vitran Co. Ltd.,  
Nishtha Parisar, Govindpura, Bhopal - Respondent No.1

M.P.Pashchim Kshetra Vidyut Vitran Co. Ltd.,  
GPH, Pologround, Indore - Respondent No.2

Shri B.K.Dubey, Advocate and Shri Sankalp Ved, Sr. Manager appeared on behalf of the petitioner.

Shri Pankaj Motwani, Accounts Officer appeared on behalf of the respondent no. 1.

Shri Kailash Shiva, CE(Com) and Shri Pavan Kumar Jain, ASE(Com) appeared on behalf of the respondent no. 2.

2. The petitioner, M/s Ruchi Soya Industries Ltd., Indore has filed this petition in the matter of enforcement of the provisions of the PPA dated 18.01.2012 effective from 30.03.2010 with respect to the wind energy machine JO-10 for captive plant use in the plant situated at Guna.

3. The petitioner has stated that:

(a) M/s Ruchi Soya Industries Limited, Indore had installed wind energy generating plant in April, 2010 at Jaora, District Ratlam for generation of power. After commissioning of the plant, the petitioner entered into Power Purchase and Wheeling Agreement for captive use.

(b) The petitioner requested the respondent no. 1 repeatedly to provide specifications of ABT meters for installation on its part. On receipt of the specifications, the petitioner installed required ABT meter in June, 2013.

(c) The respondent no.1 has not given credit/adjustment for the power generated from machine no. JO-10 and fed into the system of respondent no. 2 from April, 2010 to June, 2013 in the electricity bills raised by the respondent no. 1 for the industrial units of the petitioner at Guna.

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- (d) The respondent no.2 has already forwarded the energy account to respondent no.1 of the wind electric generation statement for the aforesaid period for effecting credit of power generated from the aforesaid machines against HT bills raised on the petitioner company, but no action has been taken by the respondent no. 1.
- (e) The petitioner company is suffering huge losses due to non receipt of the credit of wind energy generation for the period from April, 2010 to June, 2013 in the regular energy bills raised by the respondent no. 1. Hence, this petition.

4. In its petition, the petitioner has prayed to the Commission to direct the respondent no.1 to give credit of the generation along with interest for the period from April, 2010 to June, 2013 in the ensuing electricity bills being raised on the company without applying any TMC (Total Minimum Consumption) as even after wind adjustment, the consumption of the plant is above the requirement. He also urged the Commission to direct the respondent no.1 to either pay with interest the amount of electricity duty for Rs. 15.81 lacs, which was paid by the petitioner or to pass the benefit of such amount in the ensuing energy bills.

5. The matter was heard on 26.08.2014. Respondent no. 2 made written submissions. During the hearing, the petitioner reiterated the contents of the petition. The Commission enquired from respondent no.1 regarding abnormal delay in giving credit for the amount of power generated and fed into the system of respondent no.2. The respondent no.2 replied that the calculation is now ready and required credit of Rs. 1 Crore through adjustment in the electricity bills shall be given from this month.

6. Having heard both parties and on considering the written submissions, the Commission has noted that necessary credit has not been given by the respondent no.1 for a long time. The amount has now accumulated to Rs. 1 Crore and the monthly electricity bill of the petitioner company is Rs. 8-10 lakhs. The Commission, therefore, directs the respondent no.1 to make payment of the amount due for credit to the petitioner within seven days of the receipt of this order under intimation to the Commission.

Ordered accordingly.

**(Alok Gupta)**  
Member

**(A.B.Bajpai)**  
Member

**(Rakesh Sahni)**  
Chairman

