



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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IN THE MATTER OF GRIEVANCE NO. K/I/007/498 OF 2010-2011 OF
M/S. BOMBAY DYEING & MANUFACTURING CO. LTD. PATALGANGA,
RAIGAD REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL
FORUM KALYAN ZONE, KALYAN ABOUT INTERRUPTION OF POWER
SUPPLY.

M/s. Bombay Dyeing & Mfg. Co. Ltd.
Polyester Division,
A-1, Patalganga Ind. Area,
Post Office Box – 5,
Patalganga, Raigad : 410 220

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Superintending Engineer
Pen Circle

(Here-in-after
referred
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under "Maharashtra Electricity Regulatory Commission (Consumer Grievance

Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer is a H.T. consumer of the licensee. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 28/10/2010 for interruption of power supply. The details are as follows: -
Name of the consumer :- M/s. Bombay Dyeing & Mfg. Co. Ltd.
Address: - As given in the title
Consumer No : - 1)031129011281
Reason of dispute: Interruption of Power Supply
- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/699 dated 28/10/2010 to Nodal Officer of licensee. The licensee filed reply vide letter No. SE/Pen/Tech/6363, dated 23/11/2010.
- 4) The forum heard both the parties on 25/11/2010 @ 15.00 Hrs. in the meeting hall of forum. Shri S. P. Parkar, Shri S. S. Atkekar, Shri K. V. Krishnamurthy representatives of the consumer & Shri B. B. Khandare, Nodal Officer, Shri Sanjay Dond Asstt. Engr. and Shri G. A. Mali, Jr. Law Officer representatives of the licensee, attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record. Submissions made by each party in respect of each grievance shall be referred while deciding each of the grievances to avoid repetition.

- 5) The consumer has taken electricity connection from the Distribution Licensee (DL) to the chemical industry situated at Patalganga, Raigad. It is contended that once the chemical process stop, entire material in the process at the time of event get spoil and even electricity is restored, it takes about ten hours including starting of time for the process to stabilize and deliver normal quality of production. As per Regulation of 2006 Traditional Time Based Maintenance (TBM) need to be replaced by Condition Based Maintenance (CBM) or Reliability Based Maintenance (RBM) in order to save expenditure on maintenance of equipment, during the shut down of main equipment maintenance of the additional items is necessary to be done and accordingly monthly/quarterly/yearly maintenance schedule is to be prepared. However no such a record even in respect of any intimation of the maintenance work is maintained which according to consumer licensee was negligent on this aspect. On the day of occurrence on 02/03/10 at about 07.29 hours due to imbalance voltage protection high load motors operated isolated from power supply and therefore the productions process stopped. After restart motors, resetting the protective relays protections were again operated and when went on checking back with 22 KV and 220 KV systems 220 KV switch yard / distribution system it is found S.F. – 6 circuit breaker of Apta line was mal operated on pole discrepancy with only one pole opened instead of three poles and that V belt of the compressor motor unit was torn of and fallen aside, motor was running without belt and compressor having zero pressure and that during testing pole discrepancy relay (PDR) was not operating, auxiliary contacts worn out. It is further contended by the consumer that in normal course power close from Apta to Sahara, however

they have installed a double feed arrangement from Apta or Sahara to ensure continuous power supply in case power fail from either side and their maintenance staff after an hour got 220 KV Apta line isolated from Apta Sub-Station and there after they were able to take their motors in service from Sahara end by replacing the V belt. According to consumer due to this imbalance voltage their chemical process disturbed and thereby they suffered damages as material completely wasted amounting to Rs. 67,19,867/- vide chart enclosed page 20. It is the contention of consumer that due to negligence, deficiency and lack of preventive maintenance of 220 KV SF-6 circuit breaker on the part of licensee they suffered damages as above, therefore the licensee is liable to pay them damages. By letter dt. 15/07/10 consumer claimed the amount of damages but the licensee did not responded hence moved the I.G.R. Cell, however vide Lr. Dt. 14/09/10 I.G.R. Cell rejected their claim of compensation. Feeling aggrieved against the same consumer lodged this grievance dt. 22/10/10 with prayer to direct the licensee to pay them compensation.

- 6) In contra, licensee strongly opposed the contentions as above vide reply dt. 23/11/10. It is contended that consumer is a EHV consumer having C.D. 9700 KVA and connected load 39859 KW, power sources to the consumer are from 220 KV Apta Sub-Station and 220 KV Sahara Sub-Station (LILLO system). It is averred at the relevant time on 02/03/10, 220 KV Apta Breaker (only Y phase pole) tripped at Bombay Dyeing Sub-Station and the said fault was attended immediately by replacing the faulty PDR Relay which was taken on loan basis from the consumer and that due to defect in relay beyond the control imbalance occurred. However during the imbalance second circuit 220 KV Bombay Sub-Station line was in service

thereby there was no interruption of power supply to the consumer, and as such imbalance occurred due to defect in Relay which was beyond the control, consequently question of giving damages does not arise and hence grievance application be disposed of.

- 7) On perusal of the record and hearing both the parties following points arise for the consideration of Forum and findings thereon for the reasons recorded below :

Points	Findings
a)Whether licensee is liable to pay damages as prayed by the consumer ?	NO
b)If yes, what should be the quantum ?	Does not arise
c)What Order ?	As per Order below

Reasons

- 8) Learned representative for the consumer at the outset inviting our attention to the detail notes produced alongwith application dt. 22/10/10 urged that due to negligence, deficiency and lack of preventive maintenance of 220 KV SF-6 circuit breaker, material in the chemical industry costing Rs. 67,19,867/- was wasted therefore licensee is liable to pay compensation as above. On the other hand, learned representative for the licensee submitted that on the material day and time occurred defect in PDR relay was beyond the control, therefore question of payment of compensation does not arise.

- 9) Consumer alongwith the grievance filed with I.G.R. Cell enclosed list of material completely wasted. IGR Cell vide order dt. 14/09/10 pointed out that MRI data shows voltage was available at metering point and the supply was not interrupted, therefore compensation cannot be awarded. On perusal enclosed MRI data shows there was voltage and current at meter terminal, therefore there is no propriety to engage a third party to undertake inspection or to visit the site by the members. It is not disputed that materials in the industry not damaged. On the premise crucial point arises whether due to negligence on the part of the officials of the licensee incident has occurred ? On going through the documents placed on record we negate this. Admittedly consumer industry get supply from 220 KV Sahara line as well as 220 KV Apta line. In the event of failure of either of the line, industry in any case gets supply. Consumer normally gets supply from 220 KV Apta line, motors were there to operate functioning. On disturbance in 220 KV Apta line, from 220 KV Sahara line motors in the industry got supply, whether the motors operating in the chemical plant were in condition or not and whether motors within the control of the industry were in order. On getting supply from 220 KV line Sahara within a fraction plant would have operated without damage to any material. As stated above, meter data clearly depicts at the material time supply was regular therefore possibility of damaging material due to non functioning of motors under the control of the industry cannot be ruled out.
- 10) So far defect in relay (PDR) according to the officials of the licensee, was beyond their control. So far maintenance of the equipments nothing on

record to conclude that licensee was negligent on this count. Therefore hardly can be said that incident occurred due to negligence, deficiency or lack of maintenance as urged by the learned representative for the consumer. In this view of the matter we find no force in the contention of consumer that licensee is liable to pay compensation for damages to the listed material. Points are answered accordingly.

- 11) Since large number of cases filed by the consumers from Vasai Circle this Forum was busy with those cases in addition to this members of the Forum had to hold sittings at Vasai also, therefore delay is caused in deciding this case. Hence the order.

O-R-D-E-R

- 1) The grievance application stands dismissed.
- 2) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.

Date : 08/02/2011

(Mrs. S.A. Jamdar)
Member
CGRF Kalyan

(R.V. Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan