

BEFORE THE AUTHORITY OF ELECTRICITY OMBUDSMAN, JHARKHAND
2nd floor, Sainik Market, Main Road, Ranchi – 834001

Case No. EOJ/01/2023

M/S Amit Steel Industries Pvt. Ltd. v/s JBVNL & Ors.

Extract Copy of Order

(26) 25.4.2024 The record is placed before me. Both the parties are in attendance through their learned counsel. Mr. Amit Prasad, Director of M/S Amit Steel Industries Pvt. Ltd. is also physically present before this Authority. Today is the date fixed for argument on behalf of the respondents i.e J.B.V.N.L & Ors.

During the course of argument Mr. Mohan Kumar Dubey the learned Standing Counsel on behalf of the respondents has admitted that the consumer M/S Amit Steel Industries Pvt. Ltd. had furnished a copy of the “**Manufacturer Technical Specification**” to the office of the respondents in the month of November 2017.

The complaint type of the case is **BILLING DISPUTE** originated from the Tariff of HTS and HTSS. The JSEB Tariff Order for Financial Year 2011-12 specifically says that- “ In case of induction / arc furnace consumers (applicable for existing / new consumer),the contract demand shall be based on the total capacity of the induction / arc furnace and the equipment as per manufacturer technical specification and not on the basis of measurement.”

Since the manufacturer technical specification plays a vital role for the contract demand in HTSS Tariff the parties were asked, during the course of argument, as to whether the said ‘manufacture technical specification’ is available on record. Both the parties replying

in affirmative had jointly drawn my attention towards a document titled “Common Questions and Their Answers” of Inductotherm (India) Limited, which is available on record.

I have gone through the document. This document may be a corroborative document of manufacturer technical specification but not the sole document. The available document titled common questions and their answers does not confirm / disclose the following :

1. The document does not confirm that M/S Amit Steel Industries Pvt. Ltd. had purchased / planted another Induction Furnace in the year 2010 to enhance the melting capacity, as claimed?
2. The document does not disclose as to the make of ‘Induction Furnace’ purported to have been purchased in the year 2010 by the appellant? {Though the supplied document titled ‘Common Questions & Their Answers’, as furnished, is of the make of Inductotherm (India) Limited}.
3. The document does not confirm the ‘Melting Capacity’ of the Induction Furnace purported to have been purchased / planted by M/S Amit Steel Industries Pvt.Ltd in the year 2010. (The furnished document i.e. the “Common Question and Their Answer” of Inductotherm (India) Limited, discloses a range of Induction Furnaces of 75 KW, 150 KW, 250 KW, 350 KW, 400 KW and 450 KW having different melting capacities).
4. The document, the “Common Question and Their Answer” of Inductotherm (India) Limited, does not confirm the KW size of the Induction Furnace purported to have been purchased / planted by M/S Amit Steel Industries Pvt. Ltd in the year 2010.
5. The document, the “Common Question and Their Answer” of Inductotherm (India) Limited does not confirm the Melt Rate (Kg/Hour) and Maximum Power Consumption (KWH / Ton) of the Induction Furnace purported to have been purchased / planted by M/S Amit Steel Industries Pvt. Ltd in the year 2010. (The

document discloses a range of melt rate and maximum power consumption on different corresponding ranges of KW Induction Furnaces.)

During the course of hearing, the learned counsel for the appellant Mr. Rahul Lamba has submitted that since submission of 'manufacturer technical specification' is not disputed by the respondents, this Authority of the Electricity Ombudsman may not ask for the document. Mr. Lamba, the learned counsel for the appellant, has drawn my attention towards the Annexure-B of the complainant available in the record of Complaint Case No-77/19 of VUSNF, Hazaribag. The document is the Routine Test Report dated 3.4.2013 prepared after inspection by the officers of the Licensee JBVNL. It is submitted that after inspection of industry by the officers of JBVNL, it is not necessary to go through the 'manufacturer technical specification'.

I have heard Mr.Lamba and considered his submissions. The HTSS Tariff of the JSEB Tariff Order for FY 2011-12 is very much specific that **physical measurement can not be a basis for contract demand.** This apart, in the Remarks column of the Annexure-B of complainant, it is mentioned that the Inspection was made on the basis of the **Retail Invoice dated 30.08.2008** having Bill No. R/607 of M/S Electro Power Engineers. The present dispute **is based upon the Invoice of the Year 2010 and not of 2008.** It is the case of the consumer appellant that **in the year 2010, the consumer introduced ANOTHER** 500 kg melting capacity induction furnace (para 4, page 5 of the memo of appeal). At present I am concerned with the Invoice of Induction Furnace of the year 2010 in favour of M/S Amit Steel Industries Pvt. Ltd.

This Authority of Electricity Ombudsman finds that the matter of dispute rests upon the "Manufacturer Technical Specification". The said manufacturer technical specification goes to the root of the case. I feel expedient to direct the appellant M/S Amit Steel Industries Pvt. Ltd to furnish a copy of INVOICE of Induction furnace to establish the date of purchase of induction furnace, the make of induction furnace, KW of Induction

furnace, melting capacity etc, so that it can be read with the “Common Questions and Their Answer” of the Inductotherm (India) Limited, available on record.

Mr. Amit Prasad, the Director of M/S Amit Steel Industries Pvt. Ltd has admitted before this Authority that he is equipped with the invoice of the induction furnace and shall furnish a copy on the next date.

Mr. Mohan Kumar Dubey, the learned Standing Counsel for the respondents has also admitted that the respondents have received manufacturer technical specification from the consumer in the year 2017. The respondents are directed to furnish a copy of those documents before this Authority.

Put up on **9.5.2024** for filing a copy of invoice and manufacturer technical specification by either party.

(GOPAL KUMAR ROY)
Electricity Ombudsman