

No.N/37/11

**BEFORE THE KARNATAKA ELECTRICITY REGULATORY COMMISSION
BANGALORE**

Dated 17th May, 2012

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| 1. Sri M.R. Sreenivasa Murthy | Chairman |
| 2. Sri Vishvanath Hiremath | Member |
| 3. Sri K. Srinivasa Rao | Member |

Complaint No. 4/2011

BETWEEN

Karanja Industries Private Limited
Akka Mahadeevi Colony
BIDAR – 585 001
[Represented by Shri M.G. Prabhakar]

... **Complainant**

AND

Gulbarga Electricity Supply Company Limited
Registered Office
Station Road
GULBARGA – 585 102
[Represented by M/s. Just Law, Advocates]

... **Respondent**

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1. The Petitioner/Complainant, M/s. Karanja Industries Private Limited, Bidar, has filed this Complaint. While filing the Complaint, it was stated that the Consumers of Gulbarga Electricity Supply Company Limited (hereinafter referred to as GESCOM) are aggrieved by the indiscriminate load shedding imposed on them by GESCOM, and therefore seek the intervention of this Commission.

2. As the Complaint was filed on behalf of the Consumers of GESCOM, which was in the nature of a general Complaint, the same was entertained by the Commission and Notice was issued to GESCOM.

3. During the course of hearing of the case, Shri M.G. Prabhakar, who represented the M/s. Karanja Industries Private Limited (Complainant), has confined himself to the grievances of M/s. Karanja Industries Private Limited and not covered issues relating to any other Consumer.

4. It is now well-settled that this Commission cannot entertain any individual grievance under the provisions of the Electricity Act, 2003. Therefore, the Complaint filed, which has turned out to be an individual Complaint, is liable to be dismissed on the ground that the same is not maintainable under the provisions of the Electricity Act, 2003.

5. During the course of hearing, the representative of the Complainant tried to bring the Complaint within the ambit of Section 57(2) of the Electricity Act, 2003 and sought an Order for compensation for the losses alleged to have been suffered by M/s. Karanja Industries Private Limited on account of the load shedding imposed by GESCOM.

6. The Respondent-GESCOM has filed a detailed reply, wherein it is submitted that the interruption in power supply to M/s. Karanja Industries Private Limited was mainly on account of the load restrictions imposed by the Karnataka Power Transmission Corporation Limited (KPTCL) / Load Despatch Centre. Further, it is submitted that some of the interruptions are on account of the old line that supplies power to the Complainant and action is being already taken to replace the same to improve the supply and the said line is likely to be commissioned in about a month's time.

7. We have perused the Complaint and also the material produced in support of the claim for compensation and the reply of GESCOM on the same.

8. In our view, the general direction, as sought in the Complaint and reply to the same, cannot be granted on the facts that have been brought out in the Complaint. KPTCL / Load Despatch Centre, under the Grid Code, have an obligation to maintain the balance between the demand and supply of electricity. This, incidentally, includes ordering of load shedding in case of necessity.

9. From the reply filed by GESCOM, it is noticed that the load shedding or interruption in supply was mainly on account of the load restrictions imposed by the Load Despatch Centre and GESCOM has no role in it. Therefore, no direction can be issued to GESCOM not to resort to load shedding.

10. As regards the claim for compensation, in our view, it is outside the scope of this Complaint, as the Complaint is filed on behalf of the Consumers of GESCOM and not in an individual capacity. Further, we are not satisfied with the material placed before us on the loss suffered, as the loss has been calculated theoretically and not based on the actual facts.

11. Therefore, the Complaint is liable to be rejected and accordingly it stands rejected.

Sd/- (M.R.SREENIVASA MURTHY) CHAIRMAN	Sd/- (VISHVANATH HIREMATH) MEMBER	Sd/- (K.SRINIVASA RAO) MEMBER
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