



A consumer is the important visitor on our premises.
He is not dependent on us. We are dependent on him.
-Mahatma Gandhi

TAMIL NADU ELECTRICITY OMBUDSMAN

4th Floor, SIDCO Corporate Office Building, Thiru-vi-ka Industrial Estate,
Guindy, Chennai – 600 032.

Phone : ++91-044-2953 5806, 044-2953 5816 Fax : ++91-044-2953 5893

Email : tneochennai@gmail.com Web site : www.tnerc.gov.in

Before The Tamil Nadu Electricity Ombudsman, Chennai

Present :Thiru. N. Kannan, Electricity Ombudsman

A.P.No. 63 of 2023

M/s. S.Sengoda Gounder Education &
Charitable Trust, (Now Sri Shakthi Institute of
Engineering and Technology),
9/1, V.K.L. Nagar Extension, Thudiyalur,
Coimbatore – 641 034.

. . . . Appellant
(Dr. Ravikumar, Principal &
Rep. Thiru S.P.Parthasarathy, Advocate)

Vs.

1) The Superintending Engineer,
Coimbatore Electricity Distribution Circle/Metro,
TANGEDCO, No. 2940, Tatabad,
Coimbatore – 641 012.

2) The Executive Engineer/Ondipudur,
Coimbatore Electricity Distribution Circle/Metro,
TANGEDCO (TNEB),
5th street, Vasantha Nagar Singanallur – 641 005.

3) The Assistant Executive Engineer/Singanallur,
Coimbatore Electricity Distribution Circle/Metro,
TANGEDCO (TNEB),
2212, 2nd floor, Singanallur East Road,
Trichy road, Singanallur, Coimbatore-641005.

4) The Assistant Engineer/A.G.Pudur,
Coimbatore Electricity Distribution Circle/Metro,
TANGEDCO (TNEB),
Irugur 110/11 KV SS Campus,
A.G.Pudur Road, IRUGUR , Coimbatore-641103.

. . . . Respondents
(Thiru A.Nakiran, Superintending Engineer,
Thiru R. Palanisamy, EE/Ondipudur,
M.Gowrisankar, AEE/Singanallur
Tmt. K.Isaki Senbaga Loga, AE/A.G.Pudur)

Petition Received on: 22-08-2023

Date of hearing: 25-10-2023

Date of order: 07-11-2023

The Appeal Petition received on 22.08.2023 filed by M/s. S.Sengoda Gounder Education & Charitable Trust, (Now Sri Shakthi Institute of Engineering and Technology), 9/1, V.K.L. Nagar Extension, Thudiyalur, Coimbatore – 641 034 was registered as Appeal Petition No. 63 of 2023. The above appeal petition came up for hearing before the Electricity Ombudsman on 25.10.2023. Upon perusing the Appeal Petition, Counter affidavit, written argument and the oral submission made on the hearing date from both the parties, the Electricity Ombudsman passes the following order.

ORDER

1. Prayer of the Appellant :

The Appellant has prayed to quash the order dt. 30.06.2023 issued by the CGRF of Coimbatore EDC/Metro and to set aside the excess demand charges levied towards alleged excess consumption of over and above the sanctioned demand of 112 KW and to refund the amount Rs.13,11,494/- illegally collected from the consumer.

2.0 Brief History of the case:

2.1 The Appellant is running an Educational and & Charitable Trust with LT SC No. 062-002-640 with the sanction demand of 112 kw. As the demand of 112KW is not sufficient to run the institution, the Appellant submitted an application for conversion of LT supply to HT supply with a maximum demand of 300 KVA.

2.2. Based on the appellant's application, the Respondent inspected the Appellant's site on 24.9.2010 and directed the appellant (i) to shift the HT and LT lines passing through the Appellant premises by converting the overhead cables as underground cables (ii) submit drawing for the metering point within 30 meters from the main gate to the above proposed HT service connection (iii) Further, instructed the Appellant to

purchase transformer and panel board with accessories and keep them ready for effecting the HT service connection. The Appellant had exceeded MD for 33 times on various occasions to the maximum of MD 168 KW from 112KW and the penalty were raised with CC bill.

2.3 As the grievance of the appellant was not settled by the Respondent, the Appellant approached the CGRF on 17.10.2022. The CGRF of Coimbatore EDC/Metro issued an order dated 30.06.2023. Aggrieved over the order, the appellant preferred this appeal petition before the Electricity Ombudsman.

3.0 Orders of the CGRF :

3.1 The CGRF of Coimbatore Electricity Distribution Circle/Metro issued its order on 30.06.2023. The relevant portion of the order is extracted below:-

“Order:

Waiver of excess demand charges levied towards the excess over and above sanction demand of 112 KW in LT service No.062-002-640 is not feasible of compliance. MD penalty has only been levied as per the Supply Code 5(2)(ii)(c) and Notification no. TNERC/SC/7-30 dated 17.02.2012.

Therefore the respondents are directed to issue demand notice for the arrear amount involved in W.P. Nos. 14095/2014, 15688/2014, 14721/2015 and 40813/2015 along with BPSC for the portion of the MD penalty.”

4.0 Hearing held by the Electricity Ombudsman:

4.1 To enable the Appellant and the Respondents to put forth their arguments, a hearing was scheduled on 19.10.2023. The Appellant’s Counsel vide his letter dt. 16.10.2023 has requested to postpone the hearing. Based on his request, the hearing date was rescheduled and conducted on 25.10.2023 through video conferencing.

4.2 The Appellant Dr. Ravikumar, Principal and his Counsel Thiru. S.P. Parthasarathy have attended the hearing and put forth their arguments.

4.3 The Respondents Thiru A.Nakiran, Superintending Engineer, Thiru R. Palanisamy, EE/Ondipudur, M.Gowrisankar, AEE/Singanallur and Tmt. K.Isaki Senbaga Loga, AE/A.G.Pudur of Coimbatore EDC/Metro have attended the hearing and putforth their arguments.

4.4 As the Electricity Ombudsman is the Appellate authority, only the prayers which were submitted before the CGRF are considered for issuing orders. Further, the prayers which require relief under the Regulations for CGRF and Electricity Ombudsman, 2004 alone are discussed hereunder.

5.0 Arguments of the Appellant:

5.1 The Appellant has stated that the present appeal is filed against the order dated 30.06.2023 passed by the Chairman, Consumer Grievances Redressal Forum, Coimbatore EDC/Metro dismissing the complaint filed by the appellant herein. The Complaint was seeking to redress the grievance of the Appellant who has been seriously discriminated and put to irreparable hardship by the Respondent's deficiency in services in violations of Section 43 of the Electricity Act 2003, regulation 27 and Regulation 4 of the Tamil Nadu Electricity Distribution Standards of Performance Regulations 2004. In order to cover the above mentioned violations, the Respondent has arm-twisted the Appellant by levying excess demand charges towards alleged excess consumption of over and above the sanctioned demand of 112KW in LT SC No. 062-002-640 and has kept the Appellant running from pillar to post for the several years with their application for conversion of LT service connection to HT without any valid reason and no fault of the Appellant.

5.2 The Appellant has stated that the before proceeding with the facts and grounds of the present appeal the relevant provisions of the Electricity Act, 2003 and the Tamil Nadu Electricity Distribution Standards of Performance Regulations 2004 are extracted below-

Section 43 of the Electricity Act, 2003

"43. Duty to supply on request (1) save as otherwise provided in this Act, every distribution licensee shall on an application by the owner or occupier of any premises, give supply of electricity to such premises, within one month after receipt of the application requiring such supply

Provided that where such supply requires extension of distribution mains, or commissioning of new sub-stations, the distribution licensee shall supply the electricity to such premises immediately after such extension or commissioning or within such period as may be specified by the Appropriate Commission

Provided further that in case of a village or hamlet or area wherein no provision for supply of electricity exists, the Appropriate Commission may extend the said period as it may consider necessary for electrification of such village or hamlet or area

Explanation - For the purposes of this sub-section, "application" means the application complete in all respects in the appropriate form, as required by the distribution licensee, along with documents showing payment of necessary charges and other compliances

(2) It shall be the duty of every distribution licensee to provide, if required electric plant or electric line for giving electric supply to the premises specified in sub-section (1)

Provided that no person shall be entitled to demand, or to continue to receive. from a licensee a supply of electricity for any premises having a separate supply unless he has agreed with the licensee to pay to him such price as determined by the Appropriate Commission.

(3) If a distribution licensee fails to supply the electricity within the period specified in sub-section (1), he shall be liable to a penalty which may extend to one thousand rupees for each day of default"

Regulation 27 of the TN Electricity Distribution Code

"27 Requisitions for Supply of Energy:-

(1) The provision regarding the duty of Licensee as detailed in section 43 to supply electricity on request is reproduced below.

"(1) Save as otherwise provided in this Act, every distribution licensee, shall, on an application by the owner or occupier of any premises give supply of electricity to such premises, within one month after receipt of the application requiring such supply.

Provided that where such supply requires extension of distribution mains, or Commissioning of new sub-stations, the distribution licensee shall supply the electricity to such premises immediately after such extension or Commissioning or within such period as may be specified by the Appropriate Commission.

Provided further that in case of a village or hamlet or area wherein no provision for supply of electricity exists, the Appropriate Commission may extend the said period as it may consider necessary for electrification of such village or hamlet or area.

Provided that the licensee will refuse to supply electricity to an intending consumer who had defaulted payment of dues to the licensee in respect of any other service connection in his name.

Explanation: For the purposes of this sub-section "application means the application complete in all respects in the appropriate form, as required by the distribution licensee, along with documents showing payment of necessary charges and other compliances

(2) It shall be the duty of every distribution licensee to provide, if required electric plant or electric line for giving electric supply to the premises specified in sub-section (1)

Provided that no person shall be entitled to demand, or to continue to receive from a licensee a supply of electricity for any premises having a separate supply unless he has agreed with the licensee to pay to him such price as determined by the Appropriate Commission

3) If a distribution licensee fails to supply the electricity within the period specified in sub-section (1), he shall be liable to a penalty which may extend to one thousand rupees for each day of default."

Regulation 4 of the Tamil Nadu Electricity Distribution of Standards of Performance Regulations, 2004

“4. Duties of the Licensees to Supply on Request

Licensees shall endeavor to give supply within a week but not exceeding 30 days wherever no extension or improvement works are involved in giving supply. The Licensees shall observe the following time schedule for supply of electricity involving extension of distribution lines etc.

Table I

<i>Category Time (1)</i>	<i>Schedule for LT (2)</i>
<i>(a) Involving no extension or Improvement work</i>	<i>Preferably within a week but not exceeding 30 days</i>
<i>(b) Involving Extension and Improvement without Distribution Transformers</i>	<i>60 days</i>
<i>(c) Involving extension and Improvement with distribution Transformers</i>	<i>90 days</i>

Table II

<i>Category (1)</i>	<i>Time Schedule for HT / EHT (2)</i>	
	<i>HT</i>	<i>EHT</i>
<i>(a) Involving Extension & Improvement</i>	<i>60 days</i>	<i>150 days</i>
<i>(b) Involving the enhancement of Power Transformer / Addition of Power Transformers</i>	<i>120 days</i>	<i>180 days</i>
<i>(c) Involving the Commissioning of new Substation</i>	<i>180 days</i>	<i>270 days</i>

- (1) The Licensee shall issue advice slip / notice / letter indicating the prescribed charges payable with proper acknowledgement*
- (2) The Consumer shall remit the above charges within the stipulated period but not exceeding fifteen Days from the date of receipt of advice slip/notice/letter.*
- (3) In exceptional / deserving cases, permission may be granted by the respective Chief Engineer and Superintending Engineer or the person designated for this purpose by the Licensee for remittance of charges by the Consumer beyond the prescribed fifteen Days for HT/EHT and LT services respectively.*
- (4) The time taken by the Consumer to remit the prescribed charges from the date of receipt of demand notice will not be covered in the above time schedule.*
- (5) The time schedule is also applicable for additional loads.*

5.3 The Appellant has stated that he is having LT service connection No 062-002-640 since 2006 with the sanctioned demand of 112 KW. As the sanctioned demand of 112KW was not sufficient to run the institution, the Appellant made an application on 15.09.2010 for conversion of LT supply to HT supply with a maximum demand of 300 KVA. It is submitted that the Appellant's site was inspected by the Respondent on 23.09.2010 and vide letter dated 24.09.2010 the Respondent directed the Appellant to (i) to shift the HT and LT lines passing through the Appellant premises by converting the overhead cables as underground cables (ii) submit drawing for the metering point within 30 meters from the main gate to the above proposed HT service connection (iii) Further, instructed the Appellant to purchase transformer and panel board with accessories and keep them ready for effecting the HT service connection.

5.4 The Appellant has stated that it is pertinent to mention here that, the HT and LT lines, which passed through the Appellant's premises, actually benefits only the other existing HT and LT consumers not connected to the Appellant and the shifting of overhead HT and LT lines by making it underground would not bring any benefit to the Appellant, still the Appellant wanted to comply with it and accepted their terms.

5.5 The Appellant has stated with great anticipation to get the HT service connection immediately, as directed by the Respondents, the Appellant purchased the transformer at a cost of Rs.7,77,505/- Kirloskar Electric make 500 KVA 11000/433V OLTC version (Invoice No 008 dated 30-11-2010). The transformer was purchased and kept idle in our premises since 2010 for the need of HT service connection till date. The pictures of the transformer and its name plate details are enclosed with this Petition. The Appellant also submitted the drawing for the metering point within 30 meters from the main gate to the above proposed HT service connection on 27-10-2011 which is acknowledged by the 2nd Respondent on 27.10.2011 and 10.10.2012 by 3rd Respondent The Appellant has time and again approached the Respondent to further inform the procedures to be adopted for the shifting of overhead HT and LT lines passing through the Appellant's premises by laying underground (UG) cables and the Respondents informed that they will study and give the estimate for the work.

5.6 The Appellant has stated that continuously for two years, the Appellant has been following the Respondent to give the estimate and further process the conversion of the LT service to HT service connection without any delay. The Appellant frequently visited the Respondent office and gave several reminders. Only after several reminders and visits to the Respondent office, finally after two years the Respondent came up with the estimate for the shifting of overhead HT & LT lines by laying underground (UG) cables on 10-01-2012, with an estimated value of Rs.7,13,310/- towards the cost of UG cables, construction of trenches and labour charges. The Respondent vide letter dated 19.01.2012 directed that Appellant to pay the same amount before 02-02-2012 so that the Respondents will shift the HT & LT lines with UG cables.

5.7 The Appellant has stated that they were directed to pay a sum of Rs.7,13,310/- towards the DCW (Deposit Contribution Works) charges for shifting of overhead HT & LT lines by laying underground (UG) cables in their premises, including the labour and materials before 02-02-2012 vide Respondent letter dated 19-1-2012 and without any further delay, the payment of Rs.7,13,310/- on 28-01-2012 was made vide DD No.651108 dated 24-01-2012, Receipt no CBM049AR1D2766, dated 28-01-2012.

5.8 The Appellant has stated that as submitted earlier, the Appellant has taken all steps for shifting of overhead HT & LT lines by laying underground (UG) cables in their premises by paying Rs.7,13,310/- on 28-01-2012 under DCW and in spite of it again Respondent directed the Appellant to make a further payment of Rs. 2,99,160/- towards LT line shifting charges separately and same was paid by the Appellant on 14.08.2012 vide Bank of Baroda Cheque No 000529 and the same was encashed by the Respondents. However, the Respondent never initiated the work after such payments.

5.9 The Appellant has stated that after several follow ups and visits to the Respondent office, at the end of June 2012 the Respondent informed that they don't have the UG cables in stock and they also did not have the required manpower to carry out the work instead of carrying out of their work which the Respondent committed six months earlier, they directed that Appellant to purchase the UG cables

and carry out their work of laying of UG cables by the Appellant. The Appellant was shocked to receive such direction and had no other option except accepting the Respondent's dictum. The Appellant requested the Respondent to refund the amount of Rs. 7,13,310/- which was paid towards the purchase of UG cables for shifting HT & LT lines by underground trench and Rs.2,99,160/- towards LT line shifting was rejected and the amount is neither adjusted towards the Appellant's monthly electricity bills nor refunded till date.

5.10 The Appellant has stated that with a sincere effort to get the HT service connection at the earliest, the Appellant purchased the UG cables (3x300 mm2 XLPE) at a cost of Rs 11,94 900/ from K-Electric Zone, Coimbatore on 09-07-2012 vide Sales Invoice No: 2189/2012-2013 dated 09-07-2012 and informed the Respondent to take up the work without further delay. However, the Respondent did not start the work even after the purchase of the UG cables. In order to accelerate the work the Appellant also invested towards trenching, civil works, covering tiles and labour towards shifting the cables. Due to less support from the Respondent the Appellant struggled and completed the trenching, civil and laying works of the underground cables by the end of August 2012. The Appellant has spent another Rs.5,30,000/- to complete the trenching, civil works and labour. Thus, in total of Rs 32,15,715/- towards getting the HT service connection in 2012 itself was spent by the Appellant, as detailed below,

Sl.No.	Description	Amount (INR)
1.	DCW (Deposit Contribution Works) charges for shifting of overhead HT lines by laying underground (UG) cables on 28-01-2012	7,13,310
2.	LT line shifting charges paid on 14-08-2012	2,99,160
3.	HT UG cables (3X300 mm2 XLPE) on 09-07-2012	11,94,900
4.	Kirloskar Electric make 500 KVA 11000/433 V Transformer OLTC version on 30-11-2010	7,77,505
5.	Trenching, civil works and labour on August, 2010	5,30,000
	Total	35,14,875

5.11 The Appellant has stated that it is pertinent to mention that the overhead HT& LT lines which was passing through the Appellant's premises, was shifted by the UG cables purchased by the Appellant on 09-07-2012 and going through the trench

constructed by the Appellant on August 2012. In fact, the HT & LT lines are energized in August 2012 itself and are being used to supply power to other HT consumers. The shifting of overhead HT & LT lines and making it underground did not bring any benefit to Appellant. Still, the Appellant complied with the instructions of the Respondent and completed the shifting of HT & LT lines by providing UG cables.

5.12 The Appellant has stated that even after carrying out all the instructions given by the Respondent, the Appellant were not provided the HT service connection. The Appellant with great agony for another two years was following on this matter by frequent visiting and calls to the Respondent office. Every time, the Respondent deliberately delayed from providing HT service connection. They unduly delayed the process of providing the HT connection, with an ulterior motive and reasons best known to them in spite of our genuine efforts to comply with Respondent directs and fervent appeals, the Appellant never got the HT service connection nor reply the amount deposited and spent by the Appellant till date.

5.13 The Appellant has stated that while so, to the shock and surprise, the Petitioner was served with a monthly bill with alleged excess demand and energy charges as follows:-

May 2014	Rs.12,74,000/-
June 2014	Rs.2,41,994/-
May 2015	Rs.2,15,190/-
Oct 2016	Rs.2,91,489/-

Aggrieved by such levy, the Petitioner submitted their objection letters to the Assistant Engineer, TANGEDCO, A.G. Pudur over the credibility of the meter reading and requested them to send the revised bill for making the payment. It is submitted that such excess charges have been levied without any notice or opportunity to the Petitioner. Being aggrieved by such demands the Petitioner had filed Writ Petitions before the Hon'ble High Court as follows-

May 2014	Rs.12,74,000/-	W.P.No.14094/2014
June 2014	Rs.2,41,994/-	W.P.No.15688/2014
May 2015	Rs.2,15,190/-	W.P.No.14721/2015

The Hon'ble High Court in W.P.No.14095 & 15988 of 2014, 14721 of 2015 and 40813 of 2016 vide order dated 27-07-2022 was pleased to direct the petitioner to approach the CGRF.

5.14 The appellant has stated that, as mentioned above the sanctioned demand of 112KW was not sufficient to run the institution, the Appellant made an application on 15-09-2010 for conversion of LT supply to HT supply with a maximum demand of 300 KVA. In view of the above applications the Appellant was

- (i) directed to purchase the transformer at a cost of Rs.7,77,505/- and same was complied 30-11-2010.
- (ii) directed to pay a sum of Rs.7,13,310/- towards the cost of UG cables construction of trenches and labour charges under DCW work for shifting of HT & LT lines passing through the Appellant premises and same was complied on 28.01.2012.
- (iii) directed the Appellant to make a further payment of Rs.2,99,160/- towards LT line shifting charges separately and same was paid by the Appellant on 14-08-2012 vide Bank of Baroda Cheque No.000529.
- (iv) directed to submit the drawing for the metering point within 30 meters from the main gate to the above proposed HT service connection and same was complied on 27-10-2011 and acknowledged by the 2nd Respondent on 27-10-2011 and 10-10-2012 by 3rd Respondent.
- (v) directed the Appellant to purchase UG cables since the Respondent did not have stock of it even though the same was paid by the Appellant as mentioned earlier and at a cost of Rs.11,94,900/- the Appellant purchased the UG cables from K-Electric Zone.
- (vi) due to non availability of man power in order to complete the trenching civil and laying works of the underground cables, the Respondent directed that Appellant to carry out the same and the Appellant has spent another Rs.5,30,000/- to complete the trenching, civil works and labour by August 2012.

(vii) the overhead HT & LT lines, which were passing through the Appellant's premises, were shifted by the UG cables purchased by the Appellant on 09-07-2012 and laid through the trench constructed by the Appellant in August 2012 itself. In fact the HT & LT lines are energized in August 2012 itself by installation of separate transformer and poles in the Appellant's land and are being used to supply power to other HT consumers.

5.15 The Appellant has stated that in spite of complying with the above direction and having deposited the amount asked for, the Respondent neither granted HT service connection nor refunded the amount deposited towards the work till date. On one hand the Respondent kept the Appellant's application of HT service connection from 2010 in complete violation of Section 43 of the Electricity Act, 2003 and regulation 27 of Tamil Nadu Electricity Distribution Code and regulation 6 of TNERC Distribution Standards of Performance Regulation. On the other hand the Respondent continued to levy excess demand charges on various months by alleging that the Appellant has exceeded the maximum demand of 112 KW provided of their LTCT Service No 062-002-640. Such action of the Respondent is arbitrary, illegal and able to set aside on this ground alone.

5.16 The Appellant has stated that while so, on 01-06-2014, the Appellant have requested the Respondent to give the following details to get further clarity on the bills raised on alleged ground of exceeding the maximum demand of 112kw

- The date, time and duration of excess demand registered in our LT service connection.
- The quantum of excess power, so consumed in terms of KW hour (units) due to the raise in the demand.
- Consumption charges of the excess power so consumed
- Whether the excess power charges were already included in the monthly consumption charges or not?

5.17 The Appellant has stated that since there was no reply, on 02-09-2014 the Appellant once again sent the reminder and for this the Assistant Engineer/TANGEDCO vide his letter dated 22-09-2014 had replied that since the

case is pending in the court they will not furnish the details as requested by them. Hence the Appellant was in total blindness of how the alleged penalty arrived since these details are very much vital.

5.18 The Appellant has stated that to escape from answering their request and to corner them to withdraw the cases, the Respondent hastily found out false reasons and stated that the Appellant have not taken any steps to shift LT lines passing through the Appellant's premises and rejected the Appellant's HT application on 24-11-2014 after a period of 4 years. The stand taken by the Respondent in the notice 24-11-2014 that Appellant has not shifted the LT line is without application of mind and an afterthought exercise with malafied intentions since the Appellant as already paid Rs.7,13,310/- towards the cost of UG cables, construction of trenches and labour charges under DCW work for shifting of HT & LT lines passing through the Appellant premises on 28-01-2012 and made further payment of Rs.2,99,160/- towards LT line shifting charges separately on 14-08-2012 vide Bank of Baroda Cheque No 000529. Even after such payments the Respondent directed the Appellant to purchase UG cables since the Respondent did not have stock of it even though the same was paid by the Appellant as mentioned earlier and at a cost of Rs.11,94,900/- the Appellant purchased the UG cables from K Electric Zone.

5.19 The Appellant has stated that due to non availability of man power in order to complete the trenching civil and laying works of the underground cables the Respondent directed that Appellant to carry out the same and the Appellant has spent another Rs.5,30,000/- to complete the trenching, civil works and labour by August, 2012. The overhead HT & LT lines, which were passing through the Appellant's premises, were shifted by the UG cables purchased by the Appellant on 09.07.2012 and laid through the trench constructed by the Appellant in August 2012 itself. Infact the HT & LT lines are energized in August 2012 itself by installation of separate transformer and poles in the Appellant's land. Thus after making the Appellant to spend Rs.35,14,875/- towards DCW charges for shifting of overhead HT & LT lines by laying underground (UG) cables purchasing transformer (500 KVA), having completed trench, civil works and labour in August 2012 itself

and energized those LT and HT lines in August 2012 itself by installation of separate transformer and poles in the Appellant's land and thereafter rejection the Appellant application vide notice dated 24.11.2014 is illegal, arbitrary and liable to be set aside as clear violation of Section 43 of the Electricity Act, 2003 and regulation 27 of Tamil Nadu Electricity Distribution Code and regulation 6 of TNERC Distribution Standards of Performance Regulation.

5.20 The Appellant has stated that till the end of March 2018 the Respondent had not furnished a direct reply to their queries. Therefore, on 21-04-2018, the Appellant submitted an RTI petition to the Public information officer, TANGEDCO to furnish the detail as to whether any capacitor banks were connected to their incoming feeder line during the period between March and November 2014 for the above. The Public Information officer, TANGEDCO has informed that the capacitor banks were not connected to their incoming feeder vide dated 01.06.18. Respondent agreed that they have not provided any capacitor bank during the disputed period to maintain the quality of the power supply. Further TANGEDCO failed to provide the clear information about excess demand penalties in their bills generated in TANGEDCO portal.

5.21 Further, the Appellant submitted another RTI petition to the Public information officer, TANGEDCO on 21-04-2018 to furnish the following details as follows:-

During the months of April May August and Nov 2014, how many times the maximum demand was exceeded over and above the connected load? What were all the dates and the durations?

S.No.	Month	Date	Time		Duration in Minutes	Recorded Demand in KW
1.	April					

S.No.	Month	Date	Time		Duration in Minutes	Recorded Demand in KW
1.	May					

S.No.	Month	Date	Time		Duration in Minutes	Recorded Demand in KW
1.	August					

S.No.	Month	Date	Time		Duration in Minutes	Recorded Demand in KW
1.	Nov					

5.22 The Appellant has stated that for the above, the Public Information officer TANGEDCO has provided the following information vide letter dated 01-06-2018

“The details of the meter in the LT SC no 062-002-640 was downloaded only for the period from 01/04/2014 to 09/05/2014 MD has exceeded the contracted load 110 times during the above period.

The data for the period from 10/05/2014 to 31/05/2014, and for the month of August and November 2014 were not downloaded. Hence, it is not known how many times the MD exceeded over and above the contracted load.

39 pages of downloaded data for the period 01/04/2014 to 09/05/2014 are available. You are requested to pay the sum of Rs 78/- (Rs 2/- per page) (Rupees Seventy Eighty only) for furnishing the details.”

As per the directions the Appellant paid Rs 78/- and received the print version of downloaded data for the period 01/04/2014 to 09/05/2014

5.23 From the supplied data, on careful analysis, the Appellant makes the following observations

(i) Out of the 1872 recorded blocks of each 30 minutes for the 39 days the excess demand of 49.28 KW was recorded only once on 16.04.2014 at 14:00 hours. The readings clearly indicate that the maximum demand is less than 40 KW during working hours between 09:00 and 17:00 on the same day except at 13:30 and 14:00 hours. But, the particular time period is a lunch break in Appellant institute. Hence the main loads such as class room fans, lights & air conditioning and laboratories were

not operational during the disputed period. So, it is not possible to exceed the sanctioned demand during the lunch hours.

Further, the recorded demand surge suddenly dropped from 161.28 KW to 16.8 KW in the next reading and remained thereafter. From the table, it is clearly evident that the disputed reading is abnormal and could only be considered as the momentary value. The momentary fluctuation could have happened due to the non provision capacitor banks by TANGEDCO in their feeder line or the faulty recording mechanism installed by the TANGEDCO.

Date	Time	PF	Maximum Demand in KW	Excess demand in KW
16-04-2014	09:00	0.97	39.84	
16-04-2014	09:30	0.91	14.4	
16-04-2014	10:00	0.89	3.84	
16-04-2014	10:30	0.98	25.44	
16-04-2014	11:00	0.91	13.92	
16-04-2014	11:30	0.94	14.4	
16-04-2014	12:00	0.91	14.4	
16-04-2014	12:30	0.94	14.88	
16-04-2014	13:00	0.94	16.32	
16-04-2014	13:30	0.97	124.12	12.12
16-04-2014	14:00	0.96	161.28	49.28
16-04-2014	14:30	0.97	16.8	
16-04-2014	15:00	-2	-0.04	
16-04-2014	15:30	1	0	
16-04-2014	16:00	0.9	4.32	
16-04-2014	16:30	1	10.56	
16-04-2014	17:00	0.97	16.8	

(ii) The Appellant is making this claim, because there are 106 readings recorded with negative values (-1 and 2) Hence, there is every possibility that the meter can record abnormal excess demand readings also.

(iii) As per the TANGEDCO statement, it is learnt that they charged the penalty of 500% on the total monthly bill + actual monthly bill.

Even if we assume that the excess demand of 49.28 KW has lasted for the entire 30 minute duration. the excess power consumed would still be 25 Units (50 KW 0.5 hr = 25 KWh or 25 units). For the consumption of 25 units, the charges @Rs 8/ unit will be Rs 200/- only. Even after having paid for all the consumed units, including the "excess demand" the Appellant has been asked to pay a heavy

penalty of Rs 16,22,320/- @500 % of energy charges, which is irrational and unfair. That is, for an excess consumption of electricity worth Rs.200 a penalty of Rs 16,22,320/- had been levied, which is not at all justifiable and hence should be waived.

(iv) The excess demand of 18.56 KW was recorded on May 1, 2014 at 21:30 hours, for which the penalty of Rs 3,12,227/- (190%) has been levied in the May 2014 electricity bill. But, May 1, 2014 was the holiday for the institute. No classroom or laboratory was operational during the day, except lighting load. Hence, there is no possibility to exceed maximum demand on May 1, 2014.

(v) The executive engineer has informed that they have not downloaded the data from 10-5-2014 to 31-5-2014 and also for the months of August and November 2014. Hence, the penalties levied for the months of August and November 2014 were not based on scientific data, but on assumption. They were not levied as per law, and hence they have to be totally waived.

5.24 The Appellant has stated that the Hon'ble Court was pleased to direct the Appellant to approach the Consumer Grievance Redressal Forum constituted under the Electricity Act, 2003 for further adjudicating the grievance of the Appellant. Based on the above direction the Petitioner filed CGRF Petition No 023 before the CGRF, Coimbatore/Metro and the CGRF was pleased to pass final order dated 30-06-2023 dismissing the petition.

5.25 The Appellant has stated that the 5th Respondent has failed to consider that action of the Respondent in not providing the HT Service connection which was applied as early as 15-09-2010 and after collecting the required charges for effecting the same which are kept without refund/adjustment till date is in complete violation of Section 43 of the Electricity Act, 2003 and Regulations 27 of the TN Electricity Distribution Code 2005. Section 43 of the Act and Regulations 27 of the Distribution Code clearly stipulates that it is duty of the Respondent on application by the owner of the premises, to provide supply within one month from the receipt of such application. Provided where such supply requires extension of distribution mains or commissioning of new sub-station, the Respondent shall supply the electricity

immediately after completion of such work or within the time period specified by the State Regulatory Commission. The State Regulatory Commission under Regulation 4 of the Tamil Nadu Electricity Distribution of Standards of Performance Regulations, 2004 clearly provides that Licensees shall endeavor to give supply within a week but not exceeding 30 days wherever no extension or improvement works are involved in giving supply. Further the Licensees shall observe the following time schedule for supply of electricity involving extension of distribution lines i.e., a minimum of 60 days for HT service which involves extension improvement work and a maximum of 270 days for EHT service which involves commissioning of new sub-station.

5.26 The Appellant has stated that the 5th Respondent has failed to consider that Regulation 4(I) and (II) of the Tamil Nadu Electricity Distribution of Standards of Performance Regulations 2004 provided that the Licensee shall issue advice slip / notice/ letter indicating the prescribed charges payable with proper acknowledgement and the Consumer shall remit the above charges within the stipulated period but not exceeding fifteen days from the date of receipt of advice slip / notice/letter. In the present case, the Appellant applied for HT service on 15-09-2010 and remitted all the charges demanded by the Respondent under DCW for shifting the HT & LT lines passing through their premises, purchasing transformer, again purchasing UG cables for shifting of HT & LT lines and laid them underground and submitted the drawing for the metering point within 30 meters from the main gate to the above proposed HT service connection on 27-10-2011 which is acknowledged by the 2nd Respondent on 27-10-2011 and 10-10-2012 by 3rd Respondent. The Appellant has complied with every direction issued by the Respondents with the anticipations to get the HT services connection without further delay. However, action of the Respondent in not providing the HT Service connection which was applied as early as 15-09-2010 after collecting the required charges for effecting the same, till date is violation of Regulation 4 of the Tamil Nadu Electricity Distribution of Standards of Performance Regulations, 2004 which attracts payment of penalty which may extend of one thousand for each day of default by the Respondent to the Appellant. The operative portion of the Section 43(3) of the Electricity Act, 2003 is reproduced below:-

“(3) if a distribution licensee fails to supply the electricity within the period specified in sub-section (1), he shall be liable to a penalty which may extend to one thousand rupees for each day of default”

5.27 The Appellant has stated that the 5th Respondent has deliberately not considered that a similar case the Hon'ble Tamil Nadu Electricity Regulatory Commission in SMP No 4 of 2012 dated 31-03-2013 was pleased to pass an order punishing the Officers of TANGEDCO for the delay in giving service connection which was against the provisions of Section 43 of the Electricity Act 2003 and regulation 27 of Tamil Nadu Electricity Distribution Code and regulation 6 of TNERC Distribution Standards of Performance Regulation. Against the above order of punishment dated 31-03-2013 the officers of TANGEDCO filed a appeal before the Hon'ble APTEL, New Delhi in Appeal No 75 of 2013 and the Hon'ble APTEL was also pleased to uphold the order of TNERC and confirmed the punishment on the officials of TANGEDCO for violating Section 43 of the Electricity Act 2003 and regulation 27 of Tamil Nadu Electricity Distribution Code and regulation 6 of TNERC Distribution Standards of Performance Regulation

5.28 The Appellant has stated that the 5th Respondent has failed to consider that the present case is also a clear violation of Section 43 of the Electricity Act 2003 and regulation 27 of Tamil Nadu Electricity Distribution Code and regulation 6 of TNERC Distribution Standards of Performance Regulation and hence the Respondent are liable to be punished for not providing the HT Service connection which was applied as early as 15-09-2010 and after collecting the required charges for effecting the same which is kept without any use till date.

5.29 The Appellant has stated that the 5th Respondent ought not to have held that during the argument it was found that parties excess payment for UG Cable work claimed was not true hence declined and also accepted by petitioner. As regards delayed rejection of application form by Respondent was found that the department has returned the application with 15 days of receipt of the said application mentioning the reasons on 24-09-2010. Even another rejection letter was given during Nov 2014 by the EB dept. It is wrong to say that the application was returned on 24-09-2010.

The HT application was never returned on 24-09-2010. The site was inspected only on 23-09-2010 and the following details/clarifications were requested from them.

- To propose the metering point within 30m from the main road and the metering point should be visible from the main road.
- To arrange to deviate the HT line passing through our premises. Subsequently, we have submitted the required drawings and documents which you had accepted and asked us to pay Rs.7,13,310/- on 19-01-2012 for DCW works for styling overhead HT lines by laying underground (UG) cables in our premises, including the labour and materials (Lr.No.AE/JE/O&M/F.App Tracking/D.No./2009-2010 dated 19-01-2012). Without any delay the appellant made the payment of its 7,13,310/- on 28-01-2012 itself. (DD.No.651108 dated 24-01-2012, Receipt no. CBM049AR1D2766 dated 28-01-2012). Also, the LT lines passing through the appellant campus were also shifted along with the HT lines via underground. We paid TNEB Rs.2,99,160/- towards LT lines shifting charges via demand draft dated 14-08-2012, issued by Bank of Baroda Peelamedu Branch, Coimbatore (Ref: Lr No SE/CEDC/M/AE/F.New HT/D. 1306/ 14 dated 24-11-2014)

5.30 The appellant has stated that the 5th Respondent ought not to have held that no progress was made by the appellant and no communication was available from appellant for almost 2 years. It is submitted that as per Respondent's DCW order the appellant have done the LT line shifting process. Based on this work, TNEB has energized the line to the neighboring consumers. The same has been confirmed by the RTI reply dated 16-08-2018 which was deliberately not answered by the 5th Respondent in the impugned order. In fact, the communication should have been made by TANGEDCO to its customer when the conversion of LT to HT line is completed and energized as on 14-12-2012, the appellant has fulfilled all the requirements and promptly made the payment for the LT to HT line conversion.

5.31 Therefore, aggrieved by the impugned order dated 30-06-2023, the Appellant has preferred that present appeal Under Regulation No 8 of the Regulations for

Consumer Grievance Redressal Forum and Electricity Ombudsman 2004 for suitable remedy to set aside the impugned order of the 5th Respondent.

5.32 The Appellant has stated that based on the impugned order dated 30-06-2023 the 2nd Respondent has issued the impugned demand notice dated 02-08-2023 on basis of the impugned order dated 30-06-2023 along with BPSC.

5.33 The Appellant has stated that that Appellant is a reputed educational institution. From June 2023 onwards the Appellant institution is engaged in fresh admission and counseling for fresh admission are going on for the past two months Hence there is delay of days in filing this appeal before the Hon'ble Ombudsman. The appellant very humbly prays before the Hon'ble Ombudsman to condone the delay since the delay was due to a genuine reason as stated above.

5.34 The Appellant has prayed to

- (i) condone the delay of days in filing this appeal pass such further or other orders as this Hon'ble Ombudsman may deem fit and proper in the facts and circumstances of the case and thus render justice
- (ii) to grant an interim stay of all further proceedings consequent upon the impugned order dated 30.06.2023 passed by the 5th Respondent herein, and all proceedings pursuant thereto pending disposal of the present writ petition and thus render justice.
- (iii) to quash the impugned order dated 30-06-2023 issued by the 5th Respondent as arbitrary and contrary to Section 43 of the Electricity Act 2003 and regulation 27 of Tamil Nadu Electricity Distribution Code and regulation 6 of TNERC Distribution Standards of Performance Regulation and to set side the excess demand charges levied towards the alleged excess consumption of over and above the sanctioned demand of 112Kw in LT SC No.062-002-640 for the period 04/2015, 05/2014, 11/2014, 04/2015 & 10/2016 and consequently give refund of amounts illegally collected from the Petitioner so far pass such further or other orders as this Hon'ble Ombudsman may deem fit and proper in the facts and circumstances of the case and thus render justice.

6.0 Counter submitted by the Respondent:

6.1 The Respondent has submitted that 1 to 33 paras raised in the affidavit of the appellant has already been discussed in the TN Electricity Ombudsman order dated: 03.07.2020 for the Appeal petition No.49 of 2019 filed by the appellant. TNERC Regulations for CGRF and Electricity Ombudsman 2004, Part II CGRF Regulations Clause (17)(4) states that

(4) No complaint to the Electricity Ombudsman shall lie unless

“(c) The complaint, which is not settled, is not in respect of the same subject, which was settled through the office of the Electricity Ombudsman in any previous proceedings whether received from the same complainant or along with one or more complainants or anyone or more of the parties concerned with the subject matter:

(d) The complaint does not pertain to the same subject matter for which any proceedings before any court is pending or a decree or award or a final order has already been passed by any competent court;”

6.2 In view of the above, the Respondent has prayed to reject the complaint filed by the appellant, since TN Electricity Ombudsman has issued proceedings dated 03.07.2020 for the same issue filed in the affidavit of the appellant.

6.3 The Respondent has submitted that the Hon'ble High Court of Madras in its judgment dtd:27.07.2022 for W.P.Nos, 14095 & 15688/2014, 14721/2015 and 40813/2016 has ordered that,

“(3) A similar question came up before this Court in W.P.No.32979/2014 wherein this Court vide order dated 15.12.2014 had held that the claim of the petitioners therein can be adjudicated by the Consumer Grievances Redressal Commission constituted for the purpose of resolving these issues under Clause 18 of the TamilNadu Electricity Supply Code. This Court felt that the said Forum would be in a better position to adjudicate the claim of the petitioners therein since it is a specialized Forum constituted under the Act. Therefore, the writ petition was dismissed with liberty to the petitioners therein to move the said Forum.

(4)....

(5) In view of the above, he said he saw no reason to take a different view hence, these writ petitions are dismissed with liberty to the petitioner to move the Consumer Grievances Redressal Commission constituted under Cause 18 of the TamilNadu Electricity Supply Code

(6) Mr.R.Loganathan, learned counsel for the petitioner would contend that the Tamil Nadu Electricity Ombudsman, by its order on 03.07.2020, had upheld the claim of the petitioner. It is open to the petitioner to rely upon this order before the Forum. No Costs. Consequently, connected writ miscellaneous petitions are closed”.

6.4 Based on the above order, the petitioner filed a petition before the CGRF Forum towards waiving of demand charges levied towards the excess over and above sanction demand of 112 KW in LT SC No.03-062-002-640. The CGRF Petition received from the Sri Sakthi Institute of Engineering and Technology vide Lr.No. SIET/TNEB-CGRF/2022/34 Dtd: 17.10.2022 was numbered as Petition No.176/ 2022 and registered as CGRF/ M / CBE /No.023/22 dated 18.10.2022. The appellant is not discriminated and not put into irreparable hardship by the 5th respondent because the 5th respondent of the chairman CGRF has heard all the arguments of the appellant while conducting CGRF and the following final order disposed on 30.06.2023.

i) "Waiver of excess demand charges levied towards the excess over and above sanction demand of 112KW in LT Service No.062-002-640 is not feasible of compliance, since it was levied a per Tamilnadu Electricity Supply code Clause v (2) (II) Sub Clause (C) and Notification No TNERC/SC/7-30,Dated 17.02.2012.

Therefore the respondents are directed to issue demand notice for the arrear amount involved in W.P.Nos. 14095/2014, 15688/2014, 14721/2015 and 40813/2015 along with BPSC for the portion of MD penalty."

6.5 The Respondent has submitted that the balance pending arrear amount to be collected is Rs.20,11,389/- (Current consumption Charges: + Excess MD penalty) and BPSC charges - Rs.32,05,602/- totaling to an amount of Rs.52,16,991/-. The appellant has not paid the above amount, instead preferred an appeal to Ombudsman with the following prayer:

"It is prayed that this Hon'ble Ombudsman may be pleased to quash the impugned order dtd: 30.06.2023 issued by the 5 Respondent as arbitrary and contrary to Section 43 of the Electricity Act, 2003 and regulation 27 of TNE Distribution code and regulation 6 of TNERC DSOP Regulation and to set aside the excess demand charges levied towards the alleged excess consumption of over and above the sanctioned demand of 112 KW in LTSC No: 062 002 640 for the period 04/2015, 05.2014,11/2014, 04/2015 & 10/2016 and consequently given refund of amounts illegally collected from the petitioner so far pass such further or other orders as this Hon'ble Ombudsman may deem fit and proper in the facts and circumstances of the case and thus render justice."

6.6 The Respondent has submitted that as per TNERC Regulations for CGRF and Electricity Ombudsman 2004, Part II CGRF Regulations Clause (8), the appellant has to deposit 25% of the amount as ordered by the forum, which is Rs.13,04,248/- (25% of Rs 52,16,991/-). But the appellant has deposited only Rs. 5,02,847.25/- on 18.08.2023. The Respondent has prayed to not to entertain the complaint filed by the appellant, since the appellant is required to pay the 25% of the amount as ordered by the forum i.e., arrear amount involved in W.P.Nos. 14095/2014, 15688/2014, 14721/2015 and 40813/2015 along with BPSC.

6.7 The Respondent has submitted that in the writ petitions W.P. No 14095/2014, 15688/2014, 32979/2014, 14721/2015 and 40813/2015 the petitioner discussed about excess MD penalty and not about conversion of LT to HT application. After the judgement of W.P.No.32979/2014 on 06.07.2018, again a writ petition No. 22066/2018 on 08/2018 was filed by the petitioner and in that WP only the petitioner discussed about conversion of LT to HT application. In this regard, it is submitted that the appellant had LT service connection 052-002-640/ TF IIB2 (M/s. Sri Shakthi College of Engineering & Technology- Private Educational Institutions). The LTCT service was effected with 80kw Sanctioned load on 04.12.2006 in the name of Thiru.S.Sengoda gounder. In the above service connection, MD had been exceeded on the various instances from the sanctioned load 80 Kw to 115.2 Kw for 9 times during the period from 04/2009 to 01/2010 and the penalty amount Rs.2,79,661/- (Two Lakhs seventy nine thousand and six hundred sixty one only) was levied in CC bill. The petitioner has paid the MD exceeding charges every month along with CC bill.

6.8 The Respondent has submitted that when the petitioner had exceeded MD to 115.2kw on 09/2009 a notice was issued to the petitioner by the Respondent intimating to apply for HT service. But, the petitioner submitted LT application requesting for Additional load of 32 Kw (From 80 Kw to 112 Kw) and the same additional load was effected on 22.01.2010, hence sanctioned load was 112 Kw.

6.9 The Respondent has submitted that the appellant has been intimated to convert from LTCT SC to HT SC whenever the MD exceeded in the LTCT SC No. 062-002-

640 above the sanctioned load of 112KW during the period from 03/2010 to 03/2014. After 11 times exceeding the MD, the appellant had applied for conversion of LT supply in to HT supply with a maximum demand of 300KVA on 15.09.2010.

6.10 The Respondent has submitted that 1st Respondent has inspected the HT premises based on the HT application on 24.09.2010 and requested to shift the HT OH lines passing through the appellant's premises. Again inspecting the consumer premises it is found that LT line shifting was pending for want of consent from appellant side and proper location for shifting of LT lines and the same was communicated to the appellant vide Ref: Lr. No: SE/DEDC/M/AEE.GI/AE.F. New HT /D.256/12 DT. 23.02.2012. The HT/LT shifting works were completed on 09/2012 & 12/2012. In view of the above, it is proven that the respondent has never deliberately delayed the shifting process.

6.11 The Respondent has submitted that also after completion of shifting works the appellant was requested to resubmit the HT application with relevant documents as per direction of SE/Metro letter vide SE//DEDC/M/AEE.GI/AE F. New HT /D.1306/14 dt. 24.11.2014, but no reply has been received from appellant even after a lapse of two years, which clearly shows that the applicant was not interested in availing the new HT supply at present. Hence he said that he strongly oppose the claim of deliberate delay in processing the HT application.

6.12 The Respondent has submitted that the appellant had exceeded MD for 33 times on various occasions to the maximum of MD 168Kw from 112kw and for the same penalty was raised with CC bill as per TNERC regulation. The same was intimated through white meter card and also many times through letter by AE/A.G.Pudur and also the appellant was advised to apply for HT conversion in every occurrence of MD exceeded from 04/2009 onwards by the respondent vide various letters dtd:26.05.2014, 02.06.2014, 02.07.2014, 27.11.2014, 27.12.2014, 27.03.2015, 28.04.2015 which was acknowledged by him and in spite of that the appellant has never acted upon to opt for HT supply.

6.12 The Respondent has stated that the appellant had paid MD Penalty for 27 times but refused to pay the penalty amount from 28th, 29th times onwards. Subsequently the appellant had filed the writ petition, before the Hon'ble High Court of Madras vide 1. WP. 14095/2014 on May 2014, 2. WP 15688/2014 on June 2014, 3. WP. 14721/2015 on May 2015 and 4. WP.40813/2016 on Oct 2016.

W.P. No 14095/2014

During 04/2014, the petitioner had exceeded the MD for 28th time from 112 Kw to 161 Kw and for the same penalty Rs.16,22,320/- was raised to CC bill with due date on 15.05.2014.

The petitioner had paid MD penalty for 27 times, whereas the petitioner refused to pay the penalty amount on 28th occurrence by questioning meter functionality on 09.05.2014.

The details of the meter in the LT SC No. 062-002-640 was downloaded for the period from 01.04.2014 to 09.05.2014.

The MRT team analysed the data downloaded through CMRI (Common Meter Reading Instrument) from the LTCT meter fixed in LTSC No: No. 062-002-640, of AE/O&M/ A.G.Pudur section to check the healthiness of the existing Static meter and reported that meter fixed records normal and the functioning of meter is in order.

Due to non payment of CC bill along with the above penalty amount, the service was disconnected on 16.05.2014 and the above exceeded MD was confirmed by downloaded data from Energy Meter in the MRT certificate. The correctness of meter based on MRT report was intimated to the petitioner on 24.05.2014 by EE/O&M/Ondipudur.

Further AE/O&M/A.G.Pudur vide letter dtd: 26.05.2014 has intimated to the petitioner that, from the downloaded meter reading reports, the quantum of energy recorded in the meter, MD recorded and downloaded through CMRI is in order and hence the payment may be made and get the reconnection for their SC.

Being aggrieved by the same, the petitioner has filed a writ petition to the Hon'ble High Court of Madras vide **W.P. No 14095/2014**.

Prayer of the petitioner:

- i. The said demand may have to be set aside and allow the petitioner to remain a consumer utilising the electricity.
- ii. Hon'ble Court may be pleased to issue interim direction directing the first respondent to restore the electricity service to the petitioner consumer no. 03 062-002-640

and obtained an interim order on 29.05.2014 as follows,

"There shall be an order of interim direction on condition that the petitioner deposits a sum of Rs.7,00,000/- to the credit of respondent Electricity Board and on such deposit being made, the respondents shall restore the electricity service connection to the petitioner without any delay and without prejudice to the contentions raised by both parties".

As per the above order, the service was **reconnected** on **31.05.14** after collecting Rs.7,00,000/- from the petitioner.

Note: Sanction Demand- 112 KW MD Penalty adopted 10% per KW

W.P. No.	Involved Month	Recorded MD in KW	MD Penalty	CC Charges	E-Tax	Fixed Charges	Total Bill in Rs.	Amount paid as per Court order	Balance pending to be collected	BPSC UPTO 04/2023 (Months)	BPSC UPTO 04/2023 (Amt)	Total Amount with BPSC Amount
14095/2014	04/2014	161.2	1622320	318864	15943	5600	1962727	700000	1262727	109	2064559	3327286

W.P.No.15688/2014

As the petitioner had exceeded the MD from 112 Kw to 130.4 Kw for 29th time during the month of 05/2014, a penalty amount of Rs.3,12,227/- was raised along with actual monthly CC bill of Rs: 1,72,267/-, due date on 19.06.2014 and the petitioner was informed about the Excess MD Penalty by the Respondent and once again advised to apply for HT supply on 02.06.2014.

But the petitioner refused to pay the CC bill with penalty amount and for the second time filed a writ petition in Hon'ble High court of Madras W.P.No.15688/2014.

Prayer of the petitioner:

Hon'ble Court may be pleased to issue interim stay of the impugned order dtd:2.6.2014 made in Lr.No.AE/A.G. Pudur/File/No/14-15 dated 02.06.2014 on the file of 1st respondent relating to the electricity service to the petitioner consumer no. 03 062 002 640 in the name of the consumer Sengoda Gounder and quash the same, thus render justice and obtained an interim order on 18.06.2014 as follows,

“There shall be an order of interim stay on condition that petitioner shall deposit 50 of the amount demanded by the respondents to the credit of the respondent concerned within a period of two weeks from today.

It is made clear that failure to make the payment would result in the stay granted today getting vacated automatically without further reference to this court”.

Based on the above interim order the petitioner paid Rs.2,42,500/- 50% of the total billed amount of Rs.4,84,494/- on 19.06.2014.

W.P. No.	Involved Month	Recorded MD in KW	MD Penalty	CC Charges	E-Tax	Fixed Charges	Total Bill in Rs.	Amount paid as per Court order	Balance pending to be collected	BPSC UPTO 04/2023 (Months)	BPSC UPTO 04/2023 (Amt)	Total Amount with BPSC Amount
15688/2014	05/2014	130.4	312227	158730	7937	5600	484494	242500	241994	108	392030	634024

W.P.No.14721/2015

The petitioner has exceeded the MD for the 30th time from 112kw to 114kw for the month of 08/2014 and the MD penalty of Rs. 54,035/- was raised along with CC bill totalling to Rs.3,37,440/-. The same was paid on 15.09.2014 without any objection by the petitioner.

Again on 32nd time the petitioner exceeded the MD from 112kw to 120.4kw during the month of 04/2015 and the penalty amount of Rs.4,30,380/- with CC bill Rs.2,32,380/- totalling to an amount of Rs.6,81,099/- was raised with due date on 16.05.2015. But the petitioner had refused to pay the above amount and filed a writ petition Vide W.P.No.14721/2015 before the Hon'ble High Court of Madras.

Prayer of the petitioner:

Hon'ble Court may be pleased to grant an order of interim injunction restraining the respondents from disconnecting the electricity service to the petitioner Trust having consumer no. 03 062 002 640 as threatened in the impugned notice Lr.No.AE/A.G.Pudur/File/No. 14-15 dated 28.04.2015.

The judgement was delivered on 14.05.2015 as below

“There shall be an order of interim injunction restraining the respondents from disconnecting the west serve to the petitioner Trust, having consumer number in the name of the consumer S Sengoda Gounder, of his college Sri Sakthi Institute of Engineering and Technology on condition that the petitioner shall deposit 50% of the excess demand charges to the credit of the respondent electricity board on or before 16.05.2015, falling which the injunction granted shall stand automatically vacated “.

Based on the above order, the petitioner paid the 50% of the penalty amount with CC bill of Rs. 4,65,920 on **16.05.2015**.

W.P. No.	Involved Month	Recorded MD in KW	MD Penalty	CC Charges	E-Tax	Fixed Charges	Total Bill in Rs.	Amount paid as per Court order	Balance pending to be collected	BPSC UPTO 04/2023 (Months)	BPSC UPTO 04/2023 (Amt)	Total Amount with BPSC Amount
14721/2015	04/2015	129.2	430380	232380	11619	6720	681099	465920	215179	97	313085	528264

WP. No. 40813/2016

Once again the petitioner exceeded the sanctioned demand for 33rd time from 112kw to 133.5kw for the month of 10/2016. Total bill amount of Rs 8,61,282/- was raised along with the MD Penalty of Rs. 5,82,975/- and actual monthly CC bill of Rs. 2,58,270 Once again the petitioner refused to pay the amount and filed a writ petition WP. No. 40813/2016 in the Hon'ble High Court of Madras.

Prayer of the petitioner:

Hon'ble Court may be pleased to grant an order of interim injunction restraining the respondents from disconnecting the electricity service to the petitioner Trust having consumer no. 03-062-002-640 as threatened in the impugned notice of demand for the month of October 2016 of the 1st Respondent.

The judgement was delivered on 18.11.2016 as below,

“There shall be an order of interim injunction subject to the following conditions:

- i. The petitioner shall pay the energy charges, as per bill dated 26.10.2016, to the tune of Rs.2,58,270/- as undertaken by him, on or before 22.11.2016 and
- ii. The petitioner shall also pay 50% of Rs.5,82,978/- being the excess demand penalty, to the authority concerned within a period of 3 weeks from today. Failure to comply with any of the above conditions, by the petitioner, would result in the interim order of injunction getting vacated without any further reference to this court”.

As per the Court Order the petitioner paid the energy charges, as per bill dated. 26.10.2016, to the tune of Rs.2,58,270/- and an amount of Rs.2,91,489/- on 09-12-2016 (50% of Rs. 5,82,978/-) being the excess demand penalty) and availed EB supply.

The Abstract of the Court case details are given below

Note Sanction Demand- 112 KW

MD Penalty adopted 10% per kw

W.P. No.	Involved Month	Recorded MD in KW	MD Penalty	CC Charges	E-Tax	Fixed Charges	Total Bill in Rs.	Amount paid as per Court order	Balance pending to be collected	BPSC UPTO 04/2023 (Months)	BPSC UPTO 04/2023 (Amt)	Total Amount with BPSC Amount
14095/2014	04/2014	161.2	1622320	318864	15943	5600	1962727	700000	1262727	109	2064559	3327286
15688/2014	05/2014	130.4	312227	158730	7937	5600	484494	242500	241994	108	392030	634024
14721/2015	04/2015	129.2	430380	232380	11619	6720	681099	465920	215179	97	313085	528264
40813/2015	10/2016	133.6	582978	258270	13314	6720	861282	569793	291489	79	345414	636903
Total							3989602	1978213	2011389	393	3115088	5126477

6.13 The Respondent has submitted that the appellant had a practice of paying the penalty if the amount was less and for huge amount they approached the Hon'ble High Court. Further the monthly reading was entered in the LTCT white meter card along with the details of demand utilized and penalty charges.

6.14 The Respondent has submitted that the appellant had stated that the data has been downloaded by him and the entries have been analysed. From the downloaded data the excess consumption over and above the sanctioned demand could have also known to the appellant. The appellant had neither disputed nor disagreed on the excess consumption.

6.15 The Respondent has submitted that the electricity charges have been assessed as per recording of the meter. The appellant has not disputed the consumption recorded in the meter, but has only objected to the levy of excess demand charges.

6.16 The Respondent has submitted that the LT electrical supply to the appellant was effected on his agreeing to the terms of agreement. The terms of agreement which are relevant to the case are extracted and submitted hereunder:

"Para 6. Tariff and Payment: For all Electrical energy so supplied, the consumer shall pay to the Licensee at the tariff/minimum rates that may be decided by the Commission from time to time.

NOTE: the above tariff and the minimum are subject to any revision and are levy of surcharge that may be decided by the Commission from time to time.

Para 7. Consequences of Non- Payment: If the amount of such bill remains unpaid on the expiry of the due date the Licensee may give the consumers Fifteen days notice of his/her intention to discontinue the supply of electrical energy and at the expiry of such period if

payment has not been received, may forthwith disconnect the supply and keep the same disconnected until payment of all moneys due under this agreement and the charges for the work of disconnection and reconnection has been made.

If the consumer fails to pay the amount of such bill due under this agreement within the notice period for payment as per the supply code, he shall in addition and without prejudice to the other rights and remedies of the Licensee, pay a surcharge of one and half per cent per month.

Such disconnection of the supply of electrical energy shall not relieve the consumer of his/ her ability to pay the minimum charge and the guaranteed revenue provided for herein, nor shall it affect any right, claim demand or power which may have accrued to the Licensee hereunder.

11. APPLICABILITY OF ACTS AND REGULATIONS

This agreement shall be read and constructed as subject in all respects to the provision of the applicable Act and Regulations as noted in Distribution Code and Supply code and of any modification or re-enactment thereof for the time being in force and the regulations for the time being in force there in under so far as the same respectively may be applicable and subject to the conditions of supply approved from time to time by the commission.

12. SAVING AS TO CLERICAL ERROR

a. In the event of any clerical errors or mistakes in the amount levied demanded or charged by the Licensee then in the case of undercharging, the Licensee shall have a right to demand an additional amount and in the case of over charging the consumer shall have the right to get refund of the excess amount provided at that time such claims were not barred by limitation under the Act

b. The parties hereby further agree that the amount claimed in the bill shall be payable within the time allowed, irrespective of any decision to be taken regarding any disputes about its correctness or otherwise of the amount levied demanded charged by the Licenses. The Licensee shall have a right to proceed in accordance with the Act, on the basis of the amount claimed in the bills, till it is proved or established that the amount claimed was in excess of what was actually due. The consumer shall not on the plea of Incorrectness of the bills withhold any portion of the bills.

6.17 The Respondent has submitted that as per the terms of agreement on electrical supply, the appellant is bound to pay all charges levied by the licensee. This being so, for excess consumption of energy and demand over and above the sanctioned demand, the petitioner is liable and bound to pay the licensee the excess over energy and demand charges. It is also relevant to note regulation 5(2)(i)(c) of the Tamil Nadu Electricity Supply Code, wherein it has been stipulated that

"(2) Excess Demand Charges

Whenever the consumer exceeds the sanctioned demand, excess demand charge shall be

- i.
- ii. In case of LT supply,

(a)...

(b)....

(c) For the remaining LT services other than those service connections covered in (a) and (b) above, when the contracted demand is in excess of 18.6 KW (25 HP) and for such of those consumers whose contracted demand is less than 18.6 KW (25 HP) but opted for having meters with demand recording facility, the excess demand charges shall be

(1) Where the sanctioned demand is less than and up to 112 KW:

(A) Where the recorded demand does not exceed 112 KW, for every KW or part thereof in excess of the sanctioned demand, at the rate of 1% of the total energy charges.

Explanation: Total energy charges shall have the same meaning as the term charges of electricity supplied “ which includes both fixed/demand charges and energy charges.

(B) Where the recorded demand exceeds 112 KW, for every KW or part thereof in excess of sanctioned demand

- at the rate of 1% of the charges for electricity supplied for every KW or part thereof up to 112kW;
- and the rate of 1.5% for every KW or part thereof over and above 112KW for the first two occurrence
- and for the third occurrence at the rate of 39% for every KW or part thereof over and above 112 KW;

and thereafter, that is fourth and subsequent occurrences at the rate of 10% for every KW or part thereof over and above 112kW; of the charges for electricity supplied.

6.18 The Respondent has submitted that TNERC supply code regulation (7) which states,

"(5) The quantity of electricity recorded by such meter shall be taken as the quantity actually supplied by the Licensee."

6.19 The Respondent has submitted that moreover the appellant being an educational institution is aware of the billing. As could be ascertained from the meter readings, there were regular excess consumption over and above the maximum sanctioned demand as early as from 04/2009 onwards. The excess consumption and the excess demand charges levied are all known to the petitioner. The appellant had thorough awareness of the fact, paid the current consumption bills on all these occasions. However, when the excess consumption of demand is huge and the consequent excess charges are on the high side, appellant has taken a different stand and approached the Hon'ble Court with untenable averments. The previous readings stored in the meter which have been downloaded in the CMRI and analyzed by the MRT wing is in order. The opinion given in the test report of the respondent is an expert opinion in terms of provisions contained in Section 45 of the Evidence Act. As

per the section 45 of the said act the opinion of an expert is a relevant fact which ought to be taken into account by the Court. In this connection, it may be relevant to point out that the MRT report of the respondent board is a data evidence, which is based on the laboratory test with scientific values.

6.20 The Respondent has submitted that from the downloaded meter reading reports, the quantum of energy recorded in the meter, MD recorded in the meter and downloaded through CMRI is in order. The fact to be noted here as that there is no defect in the meter recordings. Also the MRT wing in letter dated 9.11.2021 has reported that, the LTCT SC: 062 002 640 was inspected by MRT for permanent dismantling due to LTCT to HTSC conversion. MF check, Power Check and accuracy test conducted and found satisfactory in kit load. Meter Make: Secure, Sl. No. TEB16934. From this, it is evident that the energy meter was running in good condition till it has been removed for LTCT to HT conversion which was effected on 05.10.2021 for a connected load of 300 KW.

6.21 The Respondent has further submitted that the appellant had never challenged the healthiness of the meter. On review of the consumer ledger it is noted that, the same meter was put in service from the date of service connection effected till meter removal on 6.12.2021 for effecting HT service connection. Also it is found that the appellant had habitually exceeded the sanctioned demand several times so as to avoid conversion of HT supply, since 90% of the demand charges have to be paid in addition to Current consumption charges if HT supply is availed.

6.22 The Respondent has submitted that the maximum load that can be effected at low tension supply is 112 KW previously, now it is 150 Kw. For exceeding the load, the supply is to be availed at High Tension level only. In case of the appellant herein the sanctioned load is the maximum viz. 112KW and the appellant is regularly exceeding the sanctioned demand. However, the excess demand charges are levied as per provisions in the supply code. The same is lawful and the appellant is legally liable to pay the excess demand charges. The appellant instead of paying the demand for the unlawful benefit enjoyed by him, had approached the Honourable Court with all sorts of allegations.

6.23 The Respondent has submitted that the Excess demand charges are levied as per the regulations issued from time to time by the TNERC, whenever the appellant exceeds the sanctioned demand.

W.P. No.32979/2014

Further it is submitted that, for the 31st time, the appellant had exceeded the sanctioned demand of 112kw by 18 kw for the month of 11/2014 and total CC bill with penalty amount of Rs.7,00,735/- was raised with due date on 16.12.2014 and the same was intimated to the appellant on 27.11.2014.

The petitioner not willing to pay the above amount since the MD penalty amount is higher, has filed a writ petition 3 time in the Hon'ble High Court of Madras W.P.No.32979/2014 and obtained an order dtd, 15.12.2014 as below,

"There shall be an order of stay on condition that the petitioner shall deposit a sum of Rs. 4,79,362/- within a period of two weeks from the receipt of a copy of this order. It is made clear that failure to make the payment, would result in the stay granted today getting vacated automatically without further reference to this court".

W.P. No.	Involved Month	Recorded MD in KW	MD Penalty	CC Charges	E-Tax	Fixed Charges	Total Bill in Rs.	Amount paid as per Court/Ombudsman order	Balance pending to be collected
32979/2014	11/2014	130	442746	240370	12018	5600	700735	479632/19.12.2014 100000/30.08.2018 75190/25.07.2019 49748/13.08.2020	BPSC Pending

As per the above order, a sum of 50 % of the penalty ie, Rs.2,21,373/- and the actual monthly bill of Rs.2,57,989/- which amounts to the total of Rs.4,79,632/- in the total bill of Rs.7,00,735/- was paid by petitioner on 19.12.2014. On 06.07.2018, the above writ petition W.P.No.32979/2014 was disposed and the judgement delivered is as follows,

"The order impugned dated 27.11.2014, is in relation to the demand in respect of the usage of Electricity by the writ petitioner. The writ petitioner filed the present writ petition challenging the said demand on the ground that excess charges are imposed on him.

Thus, the writ petitioner has to approach the CGRF for the purpose of adjudicating the grievances in respect of usage of the Electricity and demand raised by the respondents. Accordingly the writ petition stands dismissed".

6.24 Based on the above, the appellant was informed on 10.08.2018 to pay the outstanding arrear amount of Rs. 3,76,771/- within 15 days but the petitioner has not come forward to pay the amount within the notice period. Then the Service was

disconnected on 25.08.2018 for non payment of outstanding amount since the notice period of 15 days was expired. And subsequently the petitioner has filed the writ petition No. 22066/2018 before the Hon'ble High Court of Madras and the court in its order dtd: 28.08.2018 has delivered judgement as follows,

"2. The petitioner has come up with this writ petition seeking a direction to the 2 respondent to restore the petitioner Educational Institution's electricity supply in LTCT Service no. 062-002-640 till the CGRF/Coimbatore, decides the case as per the regulations for CGRF and Electricity Ombudsman, 2004.

3.....

4. In view of the facts and circumstances of the case, this court is inclined to grant an order, directing the respondents to restore the electricity service connection forthwith to the petitioner's premises on payment of Rs.1,00,000/- by the petitioner. As regards the rest of the issues raised in the writ petition, as directed by this court in W.P.No.32979/2014 of 2014, dated 06.07.2018, the same be placed before the CGRF, for consideration".

6.25 Based on the above order, the service was reconnected on 30.08.2018 after collecting the amount of Rs.1,00,000/-. Based on the judgement delivered for W.P.No.32979/2014 on 06.07.2018, the petitioner, Dr.S.Prakash, Principal, M/s. Sri Shakthi College of Engineering & Technology (M/s Sengoda Gounder Education & Charitable Trust), Coimbatore filed a petition before CGRF and was registered as CGRF/ M/CBE/ NO.006/ Date: 18.09.2018 and hearing was held on various dates 27.12.2018, 16.02.2019, & 25.04.2019 as per the request of the appellant and the following Order was issued.

"Since LT to HT conversion application was rejected by the department on 24.09.2010 itself. The consumer should have got the requirement ready and re applied through a new LT to HT conversion application.

1. The conversion of LTCT supply to HT supply with a maximum demand of 300 KVA will be considered on filing of new application.

2. Waiver of excess demand charges levied towards the excess over and above sanction demand of 112 Kw in LT service No. 062 002 640 is not feasible of compliance, has only been levied as per the Supply code 5(2)(1)(c) and Notification no. TNERC/SC/7-30, Dated:17.02.2012.

Therefore, aggrieved by the impugned CGRF order dtd. 18.06.2019, the petitioner had filed an appeal petition dtd. 29.07.2019 against CGRF Order of CEDC/Metro to the TN Electricity Ombudsman under Regulation no.8 of the Regulations for CGRF and Electricity Ombudsman, 2004 for suitable remedy to set aside the impugned order of the CGRF.

As per Ombudsman appeal procedure, an amount of Rs.75,190/- (25% of total amount) was paid by the petitioner on 25-07-2019.

6.26 The Respondent has submitted that in the order issued by of the TN Electricity Ombudsman for Appeal Petition dtd. 29.07.2019 filed by Dr.S.Prakash, Principal, M/s. Sri Shakthi College of Engineering & Technology (M/s Sengoda Gounder Education & Charitable Trust) which was registered as Appeal petition No.49 of 2019 received and in the Order dated 03.07.2020, it has been stated that,

"12.1 In view of my findings in para 9 above, the appellant is eligible to get a maximum compensation of Rs. 1000/- as per the Regulation 21 of TN Electricity DSOP Regulation, 2004 for the delay in effecting conversion of LT supply to HT supply. The compensation amount shall be credited in LT SC No:062-002-640 of the Appellant in the next billing cycle. Further on submission of fresh application, the respondents are directed to effect conversion of LT to HT supply within 30 days from the date of receipt of application.

12.2 As per my findings in para 10 above he stated that he was unable to waive the MD penalty levied in LT SC No 062 002 640 since the penalty was levied as per regulation 5(2)(c) of TNE Supply Code Regulation, 2004. Therefore the respondents are directed to issue demand notice for the arrear amount involved in WP.No.32979/2014 and further the respondents are directed not to collect BPSC for the portion of MD Penalty".

6.27 The Respondent has submitted that a notice was also issued for the balance MD penalty of Rs.49,748/- involved in WP No.32979/2014 and was collected from the appellant on 13.08.2020 without BPSC.

6.28 The Respondent has submitted that the appellant had paid the above amount of Rs.7,00,735/- without opposing, which shows that the appellant has accepted that excess demand charges has to be paid to the Licensee. The collection particulars is given below.

- Rs.2,21,373/- was paid by petitioner on 19.12.2014 vide PR:NO: CBM049IA1D2225
- Rs.1,00,000/-vide PR.No. CBM062RS1D164 dtd. 30-08-2018
- Rs.75,190/- was paid by the petitioner vide CBM049RS1D2534 dtd. 25-07-2019
- Rs.49,748/ was collected from the petitioner vide P.R No. CBM049IA1D1263 dt:13:08.2020 without BPSC.

6.29 The Respondent has submitted that the appellant has exceeded the sanctioned demand of 112KW for the fourth and subsequent occurrences and therefore excess demand charges has been levied as per the TNE Supply code regulation 5(2)(ii)(c) and Notification no. TNERC/SC/7-30, Dated: 17.02.2012 which has a legal entity and prayed the Ombudsman to kindly direct the appellant for making the balance amount to TANGEDCO along with BPSC as per TNERC Supply code Regulation (5)(4).

7.0 Findings of the Electricity Ombudsman:

7.1 I have heard the arguments of both the Appellant and the Respondent. Based on the arguments and the documents submitted by them, the following conclusion is arrived.

7.2 The appellant's prayer was directed by the Honorable High Court in WP Nos. 14095 & 15688/2014 & 14721/2015 & 40813/2016 dated 27-02-2022 to be decided before the Consumer Grievances Redressal Forum. Accordingly, the CGRF Coimbatore EDC/Metro passed Order No.23 dated 30-06-23. Aggrieved by the orders of CGRF, the Appellant made an appeal before the Electricity Ombudsman. Hence, this Ombudsman will look into the prayer made before the Honorable High Court Madras and subsequently heard by the CGRF.

7.3 The CGRF heard the following WP prayers in CGRF/M/CBE/NO.023 dated 30-06-2023, where the CGRF issued orders for the prayer made before the Honorable High Court regarding the dispute of a claim on excess Maximum Demand charges penalty. Hence, the above-mentioned issues alone are to be decided based on the facts.

1. In W.P. No. 14095/2014, the prayer of the issue concerns the claim of a penalty on excess demand charges over the sanctioned demand, i.e., 161.2 KW against 112 KW during the billing month of April 2014.

2. In W.P. No. 15688/2014, the prayer of the issue concerns the claim of a penalty on excess demand charges over the sanctioned demand, i.e., 130.4 KW against 112 KW during the billing month of May 2014

3. In W.P. No. 14721/2015, the prayer of the issue concerns the claim of a penalty on excess demand charges over the sanctioned demand, i.e., 120.4 KW against 112 KW during the billing month of April 2015

4. In W.P. No. 40813/2016, the prayer of the issue concerns the claim of a penalty on excess demand charges over the sanctioned demand, i.e., 133.6 KW against 112 KW during the billing month of October 2016

7.4 In a similar situation, the Honorable High Court earlier directed the CGRF to decide the issue of the appellant in W.P No. 32979/2014 for the excess demand charge of 130.97 kW against 112 kW during the month of November 2014. The same was heard by the CGRF on 18-09-2018 and rejected the waiver of the excess demand charges. The appellant, aggrieved by the order, appeared before the Electricity Ombudsman, who issued an order in A.P. No 49/2019 dated 03-07-2020, which is reproduced below

“ Para12.2 As per my findings in para above, I am unable to waive the M.D penalty levied in LT SC No 062-002-640 since the penalty was levied as per regulation 5(2)(ii)(c) of TNE Supply code Regulation, 2004 ”

7.5 In addition, the Appellant had paid the Excess M.D. charges for the month of November 2014 based on the Electricity Ombudsman order A.P. No.49/2019 dated 03-07-2020. In this context, it is pertinent to mention that the meter in service during that period was the same for all other WPs petitions made before the Honorable High Court Madras. The CGRF CBE/Metro heard and passed an order in CGRF/M/CBE/No.023 dated 30-06-23. It is also noted that the Appellant had raised the issue of obtaining HT service again in paragraphs 5.1 to 5.19, which had already been heard by the Ombudsman and resulted in the order A.P.No.49/2019 dated 03-07-2020.

7.6 Under these circumstances, I would like to refer to the TNERC Regulations for CGRF and Electricity Ombudsman 2004, Part II CGRF Regulations Clause (17)(4), which states that:

(4) No complaint to the Electricity Ombudsman shall lie unless

“(c) The complaint, which is not settled, is not in respect of the same subject, which was settled through the office of the Electricity Ombudsman in any previous proceedings whether received from the same complainant or along with one or more complainants or anyone or more of the parties concerned with the subject matter:

(d) The complaint does not pertain to the same subject matter for which any proceedings before any court is pending or a decree or award or a final order has already been passed by any competent court;"

7.7 Further the appellant had confirmed before Coimbatore Metro CGRF hearing which passed an order dated 18-09-2018. The extract of the discussion is reproduced below

" Member : How many writ petitions were filed to Hon'ble High court

Respondent : From the petitioner side

1: W.P 14095/2014 on May 2014

2: W.P 15688/2014 on June 2014

3: W.P 32979/2014 on Dec 2014

4: W.P 14721/2015 on May 2015

5: W.P 40813/2016 on Oct 2016

6: W.P 22066/2018 on Aug 2018 out of which the Third writ only disposed

"Chairman : In the above 6 writs in any one of it you mentioned about the HT Application.

Petitioner : since the matter is in sub judicial it was not mentioned for the 3rd writ petition W.P 32979/2014 the court directed to approach the CGRF.

Member : In those writ petitions are you mentioned about the excess demand is due to the HT Application pending.

Petitioner : In all writ petitions we discussed about the excess demand only.

7.8 From the information provided, it is apparent that the Appellant has admitted that all the prayers filed before the Honorable High Court Madras were not related to the HT Service issue. The Honorable High Court directed that these issues be decided before the CGRF in its order dated 22-07-2022. Furthermore, it has been ascertained that there is currently no appeal pending before any court against the order passed by the Electricity Ombudsman in A.P.No.49/2019 dated 03-07-2020. Now, the Appellant has raised the same HT application again before the Ombudsman. Considering the Appellant's repeated appeal on the same HT service subject, it cannot be entertained as per Clause (17)(4) of TNERC Regulations for CGRF and Electricity Ombudsman 2004.

7.9 Therefore, the appeal of the appellant's prayer pertains only to the penalty on excess demand alone in the following WPs. These will be considered to decide the

issue on the claims of the Appellant and counterclaims of the respondent by this Ombudsman.

- 1: W.P 14095/2014 on May 2014
- 2: W.P 15688/2014 on June 2014
- 3: W.P 14721/2015 on May 2015
- 4: W.P 40813/2016 on Oct 2016

7.10 Now the following are the issues to be decided for the finding in the subject matter.

1. What are the Regulations for the charges recoverable by the Licensee?
2. What are the terms and conditions executed by a consumer in the Agreement while obtaining supply on the issue of Recovery of charges ?
3. What is Demand and how it is measured in LT CT Meter?
4. What is the existing regulation for Excess Demand charge at the time of dispute when the consumer availed excess demand over sanctioned demand?
5. Whether the Appellant claim to set aside the excess demand Charges levied towards the alleged excess consumption of over and above the sanctioned demand of 112 KW in LT SC No. 062-002-640 for the period of 4/2014, 5/2014, 4/2015 & 10/2016 is tenable ?

8.0 Finding on the first issue:

8.1 Every consumer shall pay to the Licensee, the price of electricity and other applicable charges in accordance with the rates fixed by the Commission. To know the Regulations for the charges recoverable by the Licensee, I would like to refer TNERC Supply Code section 4(1) as follows:

“4. Charges recoverable by the Licensee – The charges, recoverable by the Licensee from the consumers are :-

(1) Tariff related charges, namely,-

*(i) The price of electricity supplied by him to the consumer which shall be in accordance with the tariff rates as the Commission may fix from time to time, for HT supply, LT supply, temporary supply and for different categories of consumers. *****

(ii) Demand Charges for HT and fixed charges for LT Supply shall be payable by the consumer in accordance with the rates as the commission may fix from time to time for different categories of consumers.

(iii) Disincentive for Power Factor

(iv) Additional charges for harmonics dumping

*(v) The tax or duty, if any, on electricity supplied or consumer ****

(2) Miscellaneous Charges.

(3) Minimum charges where applicable.”

From the above it is asserted that consumers are liable to pay Tariff related charges such as the price of electricity supplied, demand charges for HT and fixed charges for LT in accordance with tariff rates as fixed by the TNERC from time to time for different categories of consumers along with Miscellaneous Charges and Minimum charges where applicable.

9.0 Finding on the second issue:

9.1 Further the recovery of tariff related charges and other Misc charges as laid down in the findings on the first issue are protected by the terms and conditions executed by a consumer in the Agreement while obtaining supply. In order to exhibit the same on the issue of Recovery of charges, I would like refer TNERC Regulation 17 in Supply Code which is reproduced below;

“17. (1) Agreement with respect to supply : Issues on recovery of charges:

(1) Every consumer shall pay to the Licensee, from the date of commencement of supply till the agreement is terminated, security deposit, minimum monthly charges, fixed charges, if any, and other charges as provided in the Tariff Orders, this Code and any other orders in this regard by the Commission, from time to time. However, any consumer, who has not availed of reconnection even after the expiry of termination of agreement period, the monthly minimum charges shall be payable upto the date of termination of such agreement.

(2) Notwithstanding the termination of the agreement, the consumer shall be liable to pay the arrears of current consumption charges or any other sum due to the Licensee on the date of disconnection and meter rent, if any, up to the date of termination of the agreement and Belated Payment Surcharge (BPSC) up to the date of payment.”

9.2 Further I would like to refer para 2 of the LT application – Form 1 (FORM OF REQUISITION FOR SUPPLY OF LOW TENSION ENERGY) where the intending consumer has agreed to adhere the conditions which is given below:

“2. I agree to pay for said energy, service connection and other dues including the deposit of such security, meter rent, as may be demanded in accordance with the scale of rates prescribed under Tamil Nadu Electricity Distribution Code, Supply Code, notifications and orders issued in this regard by Tamil Nadu Electricity Regulatory Commission.”

As per regulation 33(1) of TNE Distribution Code Regulations, 2004, the application is treated as application-cum-agreement in case of LT consumers other than agricultural and industrial consumers. The Explanatory execution of the agreement (application-cum-agreement) implies that the consumer should pay for said energy, service connection and other dues including the deposit of such security, meter rent, as may be demanded in accordance with the scale of rates prescribed under Tamil Nadu Electricity Distribution Code, Supply Code, notifications and orders issued in this regard by Tamil Nadu Electricity Regulatory Commission.

9.3 In this case, the Appellant's premise was provided with LT CT service with a sanctioned load of 80 kW on 04-12-2006. It has been determined that due to the phenomenon of MD exceeding on various occasions during the period from 04/2009 to 01/2010, an additional load of 32 kW (from 80 kW to 112 kW) was effected on 22.01.2010. Therefore, as per the agreement executed by any consumer, the licensee is entitled to the recovery of charges as long as the agreement exists.

10.0 Finding on the third issue:

10.1 In this context I would like to refer regulation 2(n) of TNERC distribution code which is reproduced below:

2(n) Demand

a. “Average Demand” for the month means the ratio of the total kilowatt-hours consumed in the month to the total hours in the month

b. “Maximum Demand” in a month means the highest value of the average Kilovolt amperes in case of HT services and KW in case of LT services, delivered at the point

of supply of the consumer during any consecutive thirty / fifteen minutes in a month depending on the nature of load.

c. "Permitted Demand," means the demand permitted by the Licensee taking into account the constraints in the transmission and distribution network.

d. "Sanctioned Demand" or "Contracted Demand" means the demand sanctioned by the Licensee and specified in the agreement.

10.2 From the above, it is noted that "Maximum Demand" in a month, in case of LT service means the highest value of the average KW, delivered at the point of supply of the consumer during any consecutive fixed time slot in a month depending on the nature of load. Therefore, the condition for excess demand is any demand that exceeds the agreed-upon sanctioned amount between the consumer and the licensee engaged in the business of supplying electricity to the consumer, as outlined in the agreement.

10.3 Now, let's delve deeper into the process of how a LT CT meter records demand. In block window method, the MD is determined over a fixed time slot and in slide window, the CT Meter Records its Demand in specific period of time interval set by the licensee under integration period methodology in static meters which calculates the maximum demand by sampling the electrical parameters, including voltage and current, at regular intervals of pre defined time interval. During each interval, the meter measures the active power (or apparent power) consumption and stores the values for analysis. By comparing the power consumption values over each time interval period the meter identifies the interval with the highest energy usage, recording it as the maximum demand for that specific time segment. This approach allows for the accurate tracking of peak power usage, enabling utility companies to manage their resources effectively and plan for future energy needs. Additionally, this data helps in the implementation of demand response strategies, contributing to a more stable and reliable power grid.

11.0 Finding on the fourth issue:

11.1 In order to present the billing procedure for excess demand charges, I would like to refer Regulation 5(2)(ii)(c) of TNE Supply code which is extracted below:

“(2) Excess demand charges:

Whenever the consumer exceeds the sanctioned demand, excess demand charge shall be:—

*(i) ******

a. In case of LT supply,

*(a) *****

*(b) *****

(c) For the remaining LT services other than those service connections covered in (a) and (b) above, when the contracted demand is in excess of 18.6KW (25HP) and for such of those consumers whose contracted demand is less than 18.6 KW (25HP) but opted for having meters with demand recording facility, the excess demand charges shall be -,

(I) Where the recorded demand does not exceed 112 KW, for every KW or part thereof in excess of the sanctioned demand, at the rate of 1% of the total energy charges;

(II) Where the recorded demand exceeds 112KW, for every KW or part thereof in excess of sanctioned demand:-

- at the rate of 1% of the charges for electricity supplied upto 112 kW

- and at the rate of 1.5% for every KW or part thereof over and above 112KW for the first two occurrences;

- and for the third occurrence, at the rate of 3% for every KW or part thereof over and above 112KW;

- and thereafter, that is the fourth and subsequent occurrences at the rate of 10% for every KW or part thereof over and above 112KW;

(III) Where the recorded demand exceeds the sanctioned demand for the second and subsequent times:-

(A) In case the recorded demand has not exceeded 112 KW, the existing load sanction shall, after intimation to the consumer, be revised within one month of the second occurrence to the level of recorded demand and all the relevant charges applicable to the additional load shall be included in the next bill;

(B) In case the recorded demand has exceeded 112 KW, the existing load sanction shall, after intimation to the consumer, be revised within one month of the second occurrence, to the level of 112 KW and all relevant charges applicable to the additional load shall be included in the next bill; if, however, the recorded demand has exceeded 112 KW for the third or more number of times, it is open to the consumer to opt for HT service.”

11.2 Upon careful examination of the regulation 5(2)(ii)(c), it is observed that if the recorded demand exceeds 112 KW for the fourth and subsequent occurrences, the excess demand charges shall be levied at the rate of 10% of the total energy charges for every KW or part thereof over and above 112 KW.

12.0 Finding on the fifth issue:

12.1 The next issue at hand is whether the appellant had exceeded the sanctioned demand or not. Upon examination of the documents submitted by the Appellant, it has been revealed that the Appellant raised clarifications vide letter dated 09-05-2014 concerning the excess monthly bill for the month of April 2014, expressing doubts about the meter recording.

12.2 From the available records before this Ombudsman, it is indicated that the responsible officer of the licensee responded vide letter dated 26-05-2014, confirming that the CMRI downloaded details confirm the presence of excess M.D. recorded in the Appellant's service. This data is considered scientific and admissible under the evidence act. Furthermore, the AEE/MRT, in their letter dated 9-11-2021, confirmed that the LT CT meter in service with the appellant was found to be correct since its installation in 2006 until its removal during the dismantling process.

12.3 Indeed, the details recorded in the consumer ledger clearly exhibit the excess M.D. over the sanctioned demand, which is considered a public record under Section 35 of the Evidence Act 1872. Hence, I would like to refer to the section 35 of Evidence Act, 1872, which is discussed below.

“35. Relevancy of entry in public record or an electronic record made in performance of duty. An entry in any public or other official book, register or record or an electronic record stating a fact in issue or relevant fact and made by a public servant in the discharge of his official duty or by any other person in performance 12 of a duty specially enjoined by law of the country in which such book, register or record or an electronic record is kept is a relevant fact.”

12.4 Further, the Appellant claims that excess demand was recorded on May 1, 2014, which was a holiday for the institution. However, the mere claim of a holiday cannot be considered as there was no consumption on the campus, which is a significant institution with various laboratories and workshops. If the Appellant had doubts about the meter functions while in service, he would have challenged the meter as per the existing provisions in the TNERC Supply Code regulations 7(9) during 2014, which is reproduced below.

*“(9) If the consumer considers that the meter is defective, he may apply to the Licensee to have a special test carried out on the meters at any time and the cost of such a test shall be borne by the Licensee or the consumer according as the meter is found defective or correct as a result of such a test. *The aforementioned special test for the disputed energy meters including the suspected/defective meters shall be carried out in the Third Party testing laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories (NABL) and till such time the Third Party Meter Testing Arrangement is established, the licensee shall have the special test conducted by the Chief Electrical Inspector to Government of Tamil Nadu. The meter shall be deemed to be correct if the limits of error do not exceed those laid down in the relevant rules made under the Act. The consumer may also be allowed to install a check meter after recalibration by the Licensee. Such check meter shall be of high quality, high precision and high accuracy and sealed by the Licensee. Whenever the Licensee's meter becomes defective the check meter reading may be taken for billing.”*

12.5 Despite the provision available to the Appellant, it has been ascertained from the respondent that the Appellant never challenged the meter during the disputed period. The Appellant's queries regarding the details of the maximum demand during 2018, about the incident that occurred way back in 2014 seemed to be an afterthought and the energy meter had some limitations on fetching data from the meter memory. Furthermore, it has been found that the respondent raised the excess demand penalty then and there based on the meter recording parameters during every such occurrence.

12.6 To establish the behavior of the Appellant's usage pattern, the following details are discussed:

It is ascertained that the Appellant had an LT service connection 052-002-640/TF II B2 with 80 kW sanctioned load on 04.12.2006 in the name of Thiru S. Sengoda Gounder. In the aforementioned service connection, the maximum demand (MD) exceeded the sanctioned load of 80 kW, reaching 115.2 kW for 9 occasions during the period from 04/2009 to 01/2010. The details of the MD exceeding the sanctioned load during the period from 04/2009 to 01/2010 are provided below:

Sl. No.	Month	Sanction MD	Reached MD	MD Penalty	Paid On
1	04/2009	80	93.6	14010.30	15.05.2009
2	05/2009	80	100.4	25047.79	17.06.2009
3	06/2009	80	94.8	15842.64	14.07.2009

4	08/2009	80	110.4	34940.22	14.09.2009
5	09/2009	80	115.2	48109.67	12.10.2009
6	10/2009	80	107.2	29094.91	13.11.2009
7	11/2009	80	111.6	50558.46	14.12.2009
8	12/2009	80	106.8	32299.34	13.01.2010
9	01/2010	80	110	29758.08	15.02.2010

12.7 It is also noted that the Appellant availed an additional load of 32 kW (increasing from 80 kW to 112 kW), and this additional load was implemented on 22.01.2010, thus setting the sanctioned load at 112 kW. After obtaining the additional load up to the level of 112 kW, the Appellant exceeded the aforementioned load twice, in 3/2010 and 4/2010. The details of these occurrences are provided below.

Sl. No.	Month	Sanction MD	Reached MD	MD Penalty	Paid On
1	03/2010	112	146	89167.58	15.04.2010
2	04/2010	112	168	267294.72	15.05.2010

12.8 Furthermore, it has been ascertained that the maximum demand (MD) had been exceeded, and the details of these occurrences are provided below.

Sl. No.	Month	Sanction MD	Revised MD	MD Penalty	Paid On
1	12/2010	112	126	74742.36	07.01.2011
2	02/2011	112	121.2	58027.20	10.03.2011
3	03/2011	112	146	191817.12	11.04.2011
4	09/2011	112	115.6	21758.88	04.10.2011
5	10/2011	112	147.2	206925.84	08.11.2011
6	01/2012	112	123.2	51337.44	10.02.2012
7	02/2012	112	113.6	7821.00	08.03.2012
8	03/2012	112	123.6	49777.20	11.04.2012
9	04/2012	112	129.6	284329.80	14.05.2012
10	05/2012	112	114	43888.00	18.06.2012
11	09/2012	112	120.4	157482.00	18.10.2012
12	10/2012	112	126.4	226941.00	15.11.2012
13	06/2013	112	113.2	47366.80	17.07.2013
14	07/2013	112	115.2	86136.80	16.08.2013
15	09/2013	112	114.4	66638.40	21.10.2013

16	03/2014	112	122.8	239936.40	16.04.2014
----	---------	-----	-------	-----------	------------

12.9 It has been found that the Appellant paid the MD penalty without objection for all instances of MD exceeding occurrences mentioned above and did not raise any questions regarding the recording of the excess demand. Between the period of 4/2009 to 03/2014, the Appellant paid the excess demand charges as per the conditions stipulated in the existing LT Service Connection A/C No. 052-002-640/TF II B2, without challenging the performance of the same meter in service.

12.10 Currently, the Appellant has challenged only the excess demand charges as illegal for the demand raised during 04/2014 and 05/2014 and has filed W.P.No.14095 of 2014 and W.P.No.15688/2014 respectively before the Honorable High Court, citing the time of occurrences of the excess demand.

12.11 It is also noted that the Appellant did not protest the 30th occurrence of excess MD, which happened in 8/2014, and proceeded to pay the amount. However, the Appellant went before the Honorable High Court again for the occurrence in 11/2014, which marked the 31st occurrence in W.P.No. 32979/2014. The Hon'ble High Court disposed the WP on 06-07-2018, directing it to be heard before the CGRF. The CGRF, in its order dated CGRF/M/CBE/No/006/Date 18-09-2016, rejected the waiver of the excess demand penalty charges. Subsequently, the appeal before the Electricity Ombudsman also did not result in the waiver of the excess demand penalty charges, as per the order AP No.49/2019 dated 03-07-2020. It is also understood that the Appellant also paid the excess penalty charges.

12.12 Additionally, the Appellant pursued legal action against the illegal claim of excess demand penalty charges for the 32nd and 33rd occurrences in W.P.No.14721/2015 for 04/2015 and W.P.No.40813 /2016 for 10/2016. In all the pending Writ Petitions, the Honorable High Court directed the petitioner to approach the CGRF, as per the order dated 27-07-2022.

12.13 In summary, the Appellant did not protest the payment of the excess demand penalty charges up to 27 occurrences and also paid without protest on the 30th

occurrence, and paid all the charges for the 31st occurrence due to the CGRF's order and subsequent concurrence by the E.O vide AP No.49/2019 dated 03-07-2020. Now, the fact to be decided pertains solely to the excess demand levy penalty for the 29th, 30th, 32nd, and 33rd occurrences. Throughout all the Appellant's writ petitions, it is contended that it is an illegal claim of demand penalty and does not involve the raising of an HT service plea or the challenging of the dispute regarding the recording of the Meter functionality. During the hearing, the Appellant mentioned that the occurrences in April 2014 and May 2014 could have been avoided if the HT service matter had been settled, referencing the Ombudsman's order vide AP No.49/2019 dated 3-07-2020.

12.14 The Appellant conveniently avoided the fact that the LTCT service was established with an 80 kW sanctioned load on 04.12.2006 in the name of Thiru S. Sengoda Gounder, which remained in service until 05-10-2021 under the same terms and conditions of the agreement between 2006 and the subsequent additional load effected on 22-01-2010. It is clearly outlined in regulation 17(1) of TNE supply code which provides that every consumer shall pay to the Licensee, from the date of commencement of supply till the agreement is terminated, security deposit, minimum monthly charges, fixed charges, if any, and other charges as provided in the Tariff Orders, this Code and any other orders in this regard by the Commission, from time to time.

12.15 Further the excess demand charges claimed in this case is in line with regulation 5(2)(ii)(c) of TNE supply code and has legal sanctity. It is also observed that the Appellant paid the excess demand charges up to the 27th occasion without protest, the 30th occasion without protest, and the 31st occasion in accordance with the settled CGRF and Electricity Ombudsman order, and did not challenge the meter in service. Even after the period of October 2016 until the conversion of LT to HT, which was implemented on 05-10-2021, the same meter remained in service, and the Appellant did not exceed the sanctioned demand.

12.16 Furthermore, the Appellant has not submitted any HT application subsequent to the cancellation of the application by the respondent during 11/2014. Despite this,

during the period from April 2015 to October 2016, the Appellant continued to exceed the maximum demand. This demonstrates that the Appellant has not decided the matter concerning the HT service connection, which would result in a higher tariff. If the Appellant was genuinely concerned about the excess demand penalty, they should have applied for the HT service connection after 11/2014.

12.17 The chronology of the above occurrences is tabulated below.

Sl. No.	Period	Exceeded MD count	Whether meter in service is same	Whether meter challenged in third party lab	Remarks
1	04/2009 – 01/2010	9 times	Yes	No	The meter in service was confirmed by the Licensee during 05/2014 & 11/2021 and found in order
2	03/2010 – 04/2010	2 times	Yes	No	
3	12/2010 – 02/2012	7 times	Yes	No	
4	03/2012 – 03/2014	9 times	Yes	No	
5	04/2014 – 05/2014	2 times	Yes	No	
6	04/2015 – 10/2016	2 times	Yes	No	

12.18 During the aforementioned period, the Appellant did not raise the issue of incorrect meter recording. In other words, the Appellant only raised meter recording issues during selective periods, namely in 4/2014, 5/2014, 11/2014, 4/2015, and 10/2016. The Appellant remained silent when his service demand was well within the sanctioned demand. In other words, he accepted that the meter recording was correct as long as there was no significant excess demand penalty. Based on the consumer's usage pattern and the scientific report provided by the licensee's MRT testing wing, it was concluded that there was an excess demand usage by the Appellant.

12.19 With the above findings, the Appellant's claim to set aside the excess demand charges levied towards the exceeding the demand over and above the sanctioned demand of 112 KW in LT SC NO 062-002-640 for the period of 4/2014, 5/2014, 4/2015 and 10/2016 is unfounded. Therefore, the Appellant is liable to pay excess demand charges as per regulation 5(2)(ii)(c) of TNE supply code regulations, 2004, for having exceeded the sanctioned demand for the 28th, 29th, 32nd and 33rd occurrences for the billing period pertaining to 4/2014, 5/2014, 4/2015 and 10/2016 respectively in LT SC No. 062-002-640.

13.0 Conclusion:

13.1 In view of the aforementioned findings, the Appellant's claim to set aside the excess demand charges for the period pertaining to 4/2014, 5/2014, 4/2015, and 10/2016 in LT SC No. 062-002-640 is deemed not tenable.

13.2 With the above findings A.P.No.63 of 2023 is finally disposed of by the Electricity Ombudsman. No Costs.

(N.Kannan)
Electricity Ombudsman

“நுகர்வோர் இல்லையேல், நிறுவனம் இல்லை”
“No Consumer, No Utility”

To

1) M/s. S.Sengoda Gounder Education & Charitable Trust, (Now Sri Shakthi Institute of Engineering and Technology),
9/1, V.K.L. Nagar Extension, Thudiyalur,
Coimbatore – 641 034.

- By RPAD

2) The Superintending Engineer,
Coimbatore Electricity Distribution Circle/Metro,
TANGEDCO, No. 2940, Tatabad,
Coimbatore – 641 012.

3) The Executive Engineer/Ondipudur,
Coimbatore Electricity Distribution Circle/Metro,
TANGEDCO (TNEB),
5th street, Vasantha Nagar Singanallur – 641 005.

4) The Assistant Executive Engineer/Singanallur,
Coimbatore Electricity Distribution Circle/Metro,
TANGEDCO (TNEB),
2212, 2nd floor, Singanallur East Road,
Trichy road, Singanallur, Coimbatore-641005.

5) The Assistant Engineer/A.G.Pudur,
Coimbatore Electricity Distribution Circle/Metro,
TANGEDCO (TNEB),
Irugur 110/11 KV SS Campus,
A.G.Pudur Road, IRUGUR , Coimbatore-641103.

6) The Chairman & Managing Director, – By Email
TANGEDCO,
NPKRR Maaligai, 144,
Anna Salai, Chennai -600 002.

7) The Secretary, – By Email
Tamil Nadu Electricity Regulatory Commission,
4th Floor, SIDCO Corporate Office Building,
Thiru-vi-ka Industrial Estate,
Guindy, Chennai – 600 032.

8) The Assistant Director (Computer) – **For Hosting in the TNERC Website**
Tamil Nadu Electricity Regulatory Commission,
4th Floor, SIDCO Corporate Office Building,
Thiru-vi-ka Industrial Estate, Guindy, Chennai – 600 032.