

**CONSUMER GRIEVANCE REDRESSAL FORUM**  
(Established under the section 42 (5) of the Electricity Act, 2003)  
**MAHARASHTRA STATE ELECTRICITY DISTRIBUTION COMPANY LTD.**  
**JALGAON ZONE**

Office of the  
Consumer Grievance Redressal Forum  
AjanthaChauphuli, Old M.I.D.C.  
Jalgaon 425 003

No./CGRF/JLGZ/JAL Circle/Dharangaon Dn/C.No.23-2016-17/0040 Date: 25 APR 2017  
(BY R.P.A.D.)

Date of Submission of the case : 23/02/2017  
Date of Decision : 24/04/2017

To.

1) M/s Sagar & Rohit Engineering Industries,  
C/O R. B. Chirmade,  
Plot NO. 13, Sharda Colony,  
Near Mahabal, Jalgaon -425002  
(Consumer No. 137789002930)

Complainant

2) Executive Engineer & Nodal Officer,  
Maharashtra State Electricity Distribution Co LTD.  
Circle office, Jalgaon.  
3) Executive Engineer,  
Maharashtra State Electricity Distribution Com. Ltd.  
Division office, Dharangaon.

Distribution Company



**DECISION**

M/s Sagar & Rohit Engineering Industries, Gat No107/4 ,Plot No.4/1 Paldhi Shivar,Off N.H.6, Paldhi, Tal-Dharangaon Dist-Jalgaon is the HT Industrial consumer ( hereafter referred as the Complainant) of the Maharashtra State Electricity Distribution Company Ltd. (hereafter referred as the Distribution Company ) has a grievance regarding application of HT I-Continuous since June 2008. The complainant has filed a representation to the Forum against the order passed by the Internal Grievance Redressal Cell (IGRC) , MSEDCL, Jalgaon Circle Office in this regard. The representation in Schedule "A" is registered at inward no. 19 on 23.02.2017.

It was decided to admit this case for hearing after consulting the Forum . The matter was fixed for hearing on 07.04.2017 at 11.30 a.m. in the CGRF Office, Jalgaon and a notice to that effect was sent to the complainant and the concerned officers of the Distribution Company. A copy of the grievance was also forwarded with this notice to the Nodal Officer, MSEDCL, Circle Office , Jalgaon for submitting para wise comments to the Forum on the grievance within 15 days under intimation to the consumer. The copy of this notice was also endorsed to the Superintending Engineer, Circle Office , Jalgaon and Executive Engineer ,Dharangaon Division.

Shri Shri R.F Pawar Dy. Executive Engineer, Shri Jayesh Hivale, Sr. Manager (F&A) & Shri D.L.Baviskar Dy,Manager (F&A) Circle Office, Jalgaon , represented the Distribution Company during the hearing. Shri Vikas Mehendalkar represented the complainant.

**CONSUMER'S REPRESENTATION IN BRIEF :**

1. As per our office letter No. NIL dated 4<sup>th</sup> June 2009 we requested to charge the tariff applicable to consumer not on express feeder and to give effect from 1<sup>st</sup> June 2008 . The Superintending Engineer Jalgaon Circle vide letter NO. 556 dated 28th Jan 2010 has requested Executive Engineer,

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Dharangaon Division to verify whether connection is on express feeder or on NON express feeder. Assistant Engineer , M.S. Elect. Dist. Co. Ltd. vide letter No. 580 dated 30 March 2010 written to SE Jalgaon has confirmed that connection is not on Express feeder. As per Executive Engineer-Admn, Circle office note dated 8th September 2010 for seeking approval of SE for change of tariff is approved by Superintending Engineer on dated 30/12/2010 . Superintending Engineer Jalgaon Circle office by letter No. 1200 dated 9<sup>th</sup> Feb 2011 requested EE Dharangaon to submit log sheet from 25/07/2008 by mentioning that consumer is pressing very hard for change of tariff . By our office letter dated 28th April 2011 , we requested for change of tariff without keeping the issue lingering since it is established that we are not on Express feeder consumer.

2. Superintending Engineer Jalgaon Circle office under letter No. 3943 dated 8<sup>th</sup> June 2011 requested CE Jalgaon Zone to submit proposal for change of tariff to CE ( Commercial) for their approval as the system is locked in IT by mentioning that all the authority has confirmed that consumer is NOT ON Express feeder and this is also confirmed on verification of log sheet.
3. Chief Engineer, Jalgaon Zone office by letter NO. 2046 dated 21st June 2011 wrote to CE (Commercial ) seeking approval for change of tariff.
4. As per our office letter dated 24th Nov. 2011 to CE (Commercial) was requested to look into the matter and give the relief immediately.
5. As per letter of Superintending Engineer Jalgaon Circle office vide letter NO. 498 dated 20<sup>th</sup> January 2012 we were informed about Conditional approval for change of tariff. The conditions were as below:
  - a. The HT-I Non continuous tariff category is to be levied to you w.e.f. 04/08/2011 i.e. one month from the dated receipt of your application to Corp. office.
  - b. Load shedding protocol as is applicable from time to time as per MERC and MSEDCL rules and regulation will be binding to you and acceptable to you.
  - c. If expenditure was incurred under DDF, it will not be refunded while changing the category from express to Non express feeder.
6. Since our case was not considered from our first application though very long back it was confirmed that our supply was not from express feeder but it was from NON express feeder we were reluctant to give this undertaking.
7. As this was not our fault and we were wrongly charged with erroneous tariff because of fault of MSEDCL we were of the opinion that such undertaking was not necessary.
8. Hence vide our letter dated 24<sup>th</sup> July 2014 we made request to reconsider our proposal for change of tariff from the date of our first application by mentioning that this is case of wrong application of tariff due to fault of MSEDCL side.
9. Since our request was not considered in spite of confirmation of the fact that our supply is from NON Express feeder we made another request vide our letter No. 247 dated 20<sup>th</sup> January 2015 for application of correct tariff.
10. With reference to our application Superintending Engineer, Jalgaon Circle office vide their letter NO. 4193 dated 2<sup>nd</sup> December 2015 advised us to apply for tariff applicable to Non continuous consumer on Express Feeder.
11. In response to this letter we submitted that we are the consumer getting the supply from NON Express feeder and hence this circular is not applicable to us and our case/ request is for charging us with tariff applicable to consumer Not on Express feeder.
12. With the submission of all above facts we made request to IGRC to issue suitable direction / give order for issuing us the energy bills by applying the tariff applicable to consumer NOT on Express feeder from immediate next billing cycle.
13. We further requested to IGRC to consider our request for refund of excess amount charged to us due to application of wrong tariff from our first application i.e. our letter dated 4<sup>th</sup> June 2009, since we are charged with incorrect tariff due to fault / error / system constrained of MSEDCL.
14. In response to this hearing was taken on 30<sup>th</sup> of January 2017 and IGRC passed the following order vide their order No. IGRC/JLG/JLG Circle/2016-17 0738 dated 14<sup>th</sup> Feb 2017:
  1. **The issue of change in category from HT continuous to HT Non continuous as per instructions given by Chief Engineer ( Commercial ) letter No. PR-3/ Tariff/555 36068 dated 7/12/2011**
  2. **If aggrieved by the non-redressal of his grievance by the cell, the appellant may make a representation to the Chairman, Consumer Grievance Forum, Ajantha Chauphuli, Old MIDC, Jalgaon-425003**

