

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/DHL Circle/DDE Dn/C.No. 30-2016-17/

Date: 03 MAY 2017

No 000049
(BY R.P.A.D.)

Date of Submission of the case : 08/03/2017

Date of Decision : 02/05/2017

To.

- 1) M/s Ruby Cotex Pvt Ltd.
Gat No.25 &30, Plot No.16,Textile Park,
Dahivad Tal-Shirpur,Dist-Dhule.
(Consumer No. 094440000660)
- 2) Executive Engineer & Nodal Officer ,
Maharashtra State Electricity Distribution Co LTD.
Circle office, Dhule.
- 3) Executive Engineer ,
Maharashtra State Electricity Distribution Com. Ltd.
Division office, Dondaicha.

Complainant

Distribution Company



DECISION

M/s Ruby Cotex Pvt Ltd. ,Dahiwad Dist-Dhule is LT (Tariif category LT-V(B) consumer of the Maharashtra State Electricity Distribution Company Ltd. (hereafter referred as the Distribution Company) has filed a complaint regarding Grievance against MSEDCL for IC, GC-I charges in the billing month of Mar-2015 and GC-II & TC Charges in the billing Month of Apr-2015. The complainant has filed a representation to the Forum against the order passed by the Internal Grievance Redressal Cell (IGRC) , MSEDCL, Dhule Circle Office. The representation in Schedule "A" is registered at inward no. 30 on Dt. 08.03.2017.

It was decided to admit this case for hearing after consulting the Forum . The matter was fixed for hearing on 07/04/2017 at 2.30 pm 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 , Dhule 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 , Dhule and Executive Engineer ,Dondaicha Division.

Shri L.D.Thakur. Executive Engineer, Division Office , Dondaicha & Shri R.L.Nemade, Dy. Executive Engineer, Shirpur Sub-Division represented the Distribution Company during the hearing. Shree Shyamsundar Agraval & Shri Shri M.J.Suryavanshi (Director) represented by the complainant.

Consumer's Representation in Brief:

1. The aforesaid Power-loom Industrial Unit at Tande, Taluka Shirpur, District Dhule, has an L.T. Electricity Connection and is billed as per the **LT-V(B) : LT - Industry - Power-loom Tariff**,
2. MERC, vide its Orders Dated 5th September 2013 and 3rd March 2014 in the Case No. 38 of 2014, 54 of 2014 and 95 of 2013, in respect of MSEDCL and MSPGCL, has allowed MSEDCL to recover Additional Energy Charges in form of INTERIM Charges (IC), GENCO Charges-I (GC-I), GENCO

Charges-II (GC-II) and TRANSCO Charges (TC) from the consumers, as per the following manner and more particularly described in Commercial Circular No. 221. Copy of the said Circular is annexed herewith and marked as Exhibit "A" for your kind perusal.

- i. INTERIM Charges (IC): MSEDCL has filed a petition No. 38 of 2014 before MERC for seeking final truing up of the years FY 2011-12 and FY 2012-13, approval of carrying costs on delayed allowances, additional energy charges for recovery of trued up amount along with carrying costs and determination of cross subsidy surcharge based on the truing up. Accordingly, MERC has issued an Interim Order in favor of MSEDCL, on 3rd March 2014 in the said matter by allowing interim relief of Rs 5022 Crs and has directed to MSEDCL to recover through 'Interim Charge' for a period of twelve (12) months at the category wise rates specified in the Order. This shall come into force with effect for the energy bills issued from 1 March, 2014 to 28 February, 2015
 - ii. GENCO Charges-I (GC-I): MSPGCL's has also filed a petition No. 54 of 2014 before MERC for seeking final true up for FY 2011-12, APR for FY 2012-13 and MYT for FY 2013-14 to 2015-16. Accordingly, MERC has allowed MSEDCL to recover/adjust the variation in energy charge component of the amount billed by MSPGCL to MSEDCL through FAC mechanism and variation in fixed charge component in proportion to Average Billing Rate (ABR) of respective consumer categories. In the said Order, MERC has also allowed to MSPGCL to recover/adjust the difference in revenue recoverable in accordance with the Tariff approved for FY 2013-14 vis-a-vis the Tariff charged during the 11 months of FY 2013-14 i.e., April 2013 to February 2014 in 12 equal monthly installments from March, 2013 onwards..
 - iii. GENCO Charges-II (GC-II): In the said Order MERC has directed MSPGCL to recover from MSEDCL the fixed charges of FY 2014-15 from April 2014 to March 2015 in proportion to the ABR of respective consumer categories from the consumers.
 - iv. TRANSCO Charges (TC): MSEDCL has also filed a petition No. 95 of 2013 before MERC. Accordingly, MERC has issued an Order in favor of MSEDCL, on 5th September 2013 and directed to MSEDCL to recover Additional Charges of Rs. 192.53 Crs per month due to incremental transmission charges for FY 2013-14 till the time next MYT order is issued. However, now, MERC in its order under ref (I) has stated that the transmission charges for FY 2013-14 was Rs. 465.22 Crs per month and Rs. 424.10 Crs per month for FY 2014-15 and therefore, this revision needs to be considered for charging incremental transmission cost. In line with the above reduction in transmission charges, the additional incremental charges to be recovered from the consumers on a monthly basis are reduced from Rs. 192.53 Crs to Rs. 151.41 Crs. The same will be recovered from the consumers from April 2014 to March 2015 in proportion to ABR of respective consumer categories which is specified under the head TRANSCO Charge for FY 2014-15
3. But, MSEDCL has charged Additional Energy Charges mentioned in the Annexure 'A' which is attached to the Commercial Circular No. 218, instead of above mentioned IC, GC-I, GC-II & TC Charges, to the consumer categories mentioned in the said Commercial Circular No. 218; because of Government of Maharashtra has decided to continue the concession/subsidy which was declared by them, by its Resolution No. 278 Dated 29/03/2014, to the consumer categories mentioned in the appendix attached to the said Resolution.
 4. Then after Government of Maharashtra has withdrawal the said concession/subsidy which was earlier declared by them, by its Resolution No. 278 Dated 22/12/2014, from the month of December 2014.
 5. For that reason, the amounts of Electricity Bills are increased of all the Electricity Consumers. So that, subsequently Government of Maharashtra has again decided to continue the concession/subsidy which was declared by them, by its Resolution No. 278 Dated 29/03/2014, to the consumer categories mentioned in the appendix attached to the said Resolution, only for the Electricity Billing Month of December 2014 i.e. Electricity Consumption Month of November 2014, by its Resolution no. 70 Dated 22/12/2014.
 6. Accordingly MSEDCL has instructed to its all offices that they should not charged Additional Energy Charges in form of IC, GC-I, GC-II and TC to the consumer categories mentioned in the appendix attached to the above mentioned Resolution, for the Electricity Billing Month of



