

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/073/2009

Applicant : M/s. Shiva Steel Ind. (NAG) Ltd,
At village Kadoli, Bhandara Road,
Nagpur.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
O & M Division No. I, NUZ,
Nagpur.

Quorum Present : 1) Smt. Meera Khadakkar
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

3) Shri S.F. Lanjewar
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 10.03.2010)

The present grievance application has been filed on dated
29.12.2009 under Regulation 6.4 of the Maharashtra Electricity

Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulation, 2006 here-in-after referred-to-as the said Regulations.

The present application is filed by the consumer for non-consideration of his request for change in tariff category from “Continuous industry to Non-continuous industry”.

It is submitted by the complainant that he is the consumer in the category of continuous industry on express feeder. The requirement of the industry does not need premium and continuous power supply. The consumer had requested the non-applicant for change of category as “Non-continuous industry”. However, the request of the complainant was not considered. The complainant had approached the IGRC on 18.11.2009.

The non-applicant has filed his reply on 14.01.2010. The application is opposed on the ground that as per the tariff implemented from 31.05.2008. The consumer’s were expected to give option of change of tariff within first month after the issue of tariff order for the relevant tariff period. The consumer has not exercised his choice within the said period and therefore now his request cannot be considered. The application therefore is liable to be rejected.

Heard both the parties, it is submitted by the complainant that in view of the production requirement the Company does not require continuous power supply and therefore they want to withdraw from the premium consumer category and want to switch to “Non-continuous industry”. The company had applied for such change on 20.11.2009. The non-applicant should be directed to change the tariff category.

Both the parties have filed a document's on record. It is submitted by the non-applicant that the complainant cannot make a request for change of category after the required period mentioned in the order of MERC.

We have perusal the order in case no. 44 of 2008 in present case. The applicant is admittedly getting supply from HT category under continuous express feeder. It is clearly observed in the MERC's ruling. It is clarified that the consumer getting supply on express feeder may exercise his choice between continuous and non-continuous supply only one year within the first month, after the issue on the tariff order for the relevant tariff period.

In the present case, the non-applicant has rightly submitted that the applicant's has give his request on 18.11.2009, the tariff for the FY-2009-2010. Come into force on first of August 2009 as the consumer has not give his option within the period of one month, the time limit for give the option has expired. The request of the applicant cannot be considered.

In our opinion, it is observed in the order of MERC which is referred above that in case the choice is not exercised within the specified period i.e. within one month after the issue of tariff order then the existing categorisation will be continued. In view of this observation, the non-applicant cannot consider the consumer request for change of tariff.

After considering the arguments of both the parties. We are satisfied the applicant should have given his option for change of tariff within the stipulated period since the complainant has not been

obtained for change of category within month. So request for change of category cannot be considered.

The grievance application is therefore rejected.

Sd/- (S.F.Lanjewar) Member-Secretary	Sd/- (Smt.Gauri Chandrayan) MEMBER	Sd/- (Smt. Khadakkur) CHAIRMAN
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**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**

Chairman
Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum,
Nagpur Urban Zone, Nagpur.