

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

Case No. CGRF(NUZ)/014/2007

Applicant : M/s. Sanvijay Rolling &
Engineering Ltd.,
Plot No. 9, Imambada Ghat Road,
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Division-II, NUZ,
Nagpur.

Quorum Present : 1) Shri S.D. Jahagirdar,
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.J. Bhargawa
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 29.03.2007)

The present grievance application is filed on 26.02.2007 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of non-revision of his energy bills for the months of October and November, 2006 as per MERC's tariff order. The applicant has prayed for refund of excess amount charged in the energy bills for these two months alongwith interest at Bank rate.

Before approaching this Forum, the applicant made complaints on the same subject-matter of the present grievance by his letters dated 18.11.2006 and 13.12.2006 to the Superintending Engineer, NRC, MSEDCL, Nagpur that his energy bills for the months of October and November, 2006 were not issued as per tariff order of MERC and requested to refund excessive amounts charged in these energy bills after revision thereof. However, no remedy was provided to his complaints and hence, the present grievance application.

The intimations given to the Superintending Engineer are deemed to be the intimation given to the Internal Grievance Redressal Cell (in short the Cell) under the said Regulations and as such, the applicant was not required to approach the Cell again for redressal of his grievance.

The matter was heard on 28.03.2007.

The applicant's case was presented before this Forum by his nominated representative one Shri R.B. Goenka.

He submitted that the energy bills of the applicant for the months of October and November, 2006 were not issued according to the tariff order issued by the MERC w.e.f. 01.10.2006. According to him, the additional supply charge (in short A.S.C.) should not at all have been charged since the applicant's energy consumption in the months of October and November 2006 was respectively 48% and 50% of previous average of 22,30,000 KWH. The A.S.C. percentage was rightly calculated as zero based on the average of 22,30,000 KWH while issuing energy bills for the subsequent months of December, 2006 and January, 2007. The non-applicant thus wrongly and excessively charged A.S.C. in these two energy bills in violation of the MERC's order effective from 01.10.2006 and MSEDCL's H.T. Tariff order. The P.F. incentive was also not considered in these energy bills. He stressed that no cognizance was taken by the non-applicant of his applications dated 18.11.2006 and dated 13.12.2006 by which he had brought to the notice of the non-applicant that the energy bills for these two months were erroneous. The applicant had already paid amounts of these two disputed bills under protest.

His request is that excessive amount charged should be refunded to him alongwith interest at Bank rate as per Section 62 (6) of the Electricity Act, 2003.

He also requested this Forum to direct the non-applicant to consider P.F. incentive on the total energy charges which the non-applicant has failed to consider in the disputed energy bills.

The applicant's representative has relied upon the MERC's tariff order which has come into force w.e.f. 01.10.2006 and the MSEDCL's high tension tariff booklet applicable from 01.10.2006. He

has dealt with extensively in his grievance application and in his oral submissions also on the applicability of additional supply charges by citing the MERC's directives and also the clarificatorily orders issued by MERC on 13.01.2006 and 21.02.2006.

The non-applicant, on his part, has admitted in his parawise remarks dated 26.03.2007 that the A.S.C. was wrongly charged to the applicant during the months of October and November 2006.

He has assured that revision of the two disputed bills will be carried out manually and excessive amount charged in violation of MERC's tariff order and MSEDCL's high tension tariff booklet effective from 01.10.2006 will be refunded to the applicant.

In view of the clear-cut admission of the non-applicant as stated above, we allow the applicant's grievance application in toto and direct the non-applicant to issue revised bills for the months of October and November, 2006 immediately as per the MERC's tariff order and the MSEDCL's HT tariff booklet effective from 01.10.2006 and give appropriate credit to the applicant. The admissible P.F. incentive shall also be given to the applicant.

The excessive amount charged shall be refunded to the applicant alongwith interest at Bank rate as laid down in section 62 (6) of the Electricity Act, 2003.

The grievance application thus stand disposed off accordingly.

The non-applicant shall report compliance of this order to this Forum on or before 16.04.2007.

Sd/-	Sd/-	Sd/-
(S.J. Bhargawa)	(Smt. Gauri Chandrayan)	(S.D. Jahagirdar)
Member-Secretary	MEMBER	CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**

**Member-Secretary
Consumer Grievance Redressal Forum,
Maharashtra State Electricity Distribution Co.Ltd.,
Nagpur Urban Zone, NAGPUR.**