

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

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**Case No. CGRF(NUZ)/100/2014**

Applicant : M/s. Nice Papers Ltd.,  
138, Village Ghogali,  
Tahsil Kalmeshwar,  
Nagpur.

Non-applicant : Nodal Officer,  
The Superintending Engineer,  
Nagpur Rural Circle,  
MSEDCL, NAGPUR.

Quorum Present : 1) Shri Vishnu S. Bute,  
Chairman.  
  
2) Adv. Subhash Jichkar  
Member.  
  
3) Shri B.A. Wasnik,  
Member Secretary.

**ORDER PASSED ON 17.5.2014.**

1. The applicant filed present grievance application before this Forum on 24.4.2014 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. The applicants' case in brief is that applicant is H.T. consumer of non applicant, bearing Consumer No. 430019003927 having contract demand of 675 kVA. In the bill of the applicant for the month of August 2013, Additional Energy Charges (AEC 1, AEC2,

AEC3 and AEC4) amounting to Rs. 481344.95 were illegally levied by the non applicant. As per Commissions order in case No. 95 of 2013 AEC1 and AEC2 are to be charged from the billing month of September 2013 and the other amount i.e. Rs. 106.44 crores, Rs. 628.90 crores are to be collected from the consumers in 6 months from October 2013, as per order of Commission in case No. 28 of 2013 and are to be collected as FAC charges. Similarly the amount of 596.12 crores which shall be recovered by MSPGCL from MSEDCL as annual fixed charges of Khaperkheda Unit 5 for FY 2012-13, was to be recovered in six equal monthly installments starting from month of October 2013 and MERC allowed it to collect from consumers the fix charge component billed by MSPGCL vide order in case No. 44 of 2013. MSEDCL issued circular No. 209 dt. 7.9.2013 based on Commissions above referred order and specified additional energy charges and FAC without mentioning the month of applicability of these charges. The applicant paid the energy bill of August 2013 under protest and submitted a request letter dated 16.9.2013 to MSEDCL to issue correct energy bill for August 2013. MSEDCL issued energy bill for September 2013 again adding AEC amount of Rs. 404872.64 in violation of Commissions order. Non applicant did not issue corrected energy bill for August 2013 & September 2013. As such the applicant filed present grievance application before this Forum.

3. Non applicant denied the case of the applicant by filing reply dated 13.5.2014. It is submitted that during the billing month of August 2013, the bill was generated and issued to the consumer

considering AEC charges. AEC charges is applied to HT consumers in Nagpur Rural Circle as per the Commercial Circular No. 209 dt. 7.9.2013 based on the orders of MERC in case No. 95, 28 and 44. AEC is charged in the month of August 2013 as per the software provided by Corporate Office, Mumbai to respective IT centers. Hence in this matter Circle Office generated the bill as per IT Program. Being a policy matter the bill including AEC is generated in the month of August 2013. In some circles there may be delay in providing the amended software, therefore the said offices has issued the energy bills for August 2013 without AEC charges. This office has recovered AEC charges in 5 installments only and has not recovered any excess amount towards AEC charges other than specified by MERC. Therefore there is no need of refunding of excess amount as stated by the applicant. Hence Grievance application may be dismissed.

4. Forum heard arguments of both the sides and perused the record.

5. It is an admitted fact that that the non applicant has levied A.E.C. as per directives of Corporate Office issued vide Commercial Circular in question. The said circular is issued as per MERC order. Hon'ble Commission in its ruling clearly said that the under recovered amount accrued upto August 2013 shall be recovered by MSEDCL within a period of 6 (six) months with effect from September 2013 to February 2014. Forum has observed that non applicant has acted as per Commission's ruling and has raised the demand of accrued under recovered amount upto August 2013 and

issued the same in the month of September 2013. Accordingly consumer has paid the amount as per bill raised by MSEDCL which is justified and as per Commission's ruling. The applicant has paid the said amount of Rs. 481344.95 on 16.9.2013 and not in the month of August 2013. Therefore this Forum is of the opinion that the amount which is recovered by MSEDCL as per Commission's order No. 95 of 2013 is correct and justified.

6. On going through the bill of applicant it is observed that AEC is recovered from the consumer for 5 months only whereas Commission has allowed MSEDCL to recover AEC charges for 6 months. From the above observations, this Forum is of the opinion that there is no excess amount recovered by the non applicant hence question of refund of excess amount does not arise. Moreover, the applicant failed to explain as to how much amount is recovered excessively from the consumer.

6. For these reasons, Forum proceeds to pass following order: -

#### ORDER

- 1) Grievance application is dismissed.

Sd/-  
(B.A. Wasnik)  
MEMBER  
SECRETARY

Sd/-  
(Adv. Subhash Jichkar)  
MEMBER

Sd/-  
(Vishnu S. Bute),  
CHAIRMAN