

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

Case No. CGRF(NUZ)/76/2014

Applicant : M/s. Eros Infrastructures Pvt.Ltd.,
Plot No. G-97, M.I.D.C. Industrial
Area, Butibori,
Nagpur.

Non-applicant : Nodal Officer,
The Superintending Engineer,
Nagpur Urban 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 21.4.2014.

1. The applicant filed present grievance application before this Forum on 15.3.2014 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. 4201819007160 having factory address at Plot No. G-97, MIDC Industrial Area, Butibori, Nagpur. In the bill of the applicant for the month of August

2013 & September 2013, Additional Energy Charges (AEC) were levied by the non applicant. Hence he approached to non applicant to refund the same. However, non applicant did not take any cognizance. As such the applicant filed present grievance application before this Forum.

3. Non applicant denied the case of the applicant. It is submitted that the said Additional Energy Charges are levied by the non applicant as per Commercial Circular No. Commercial Circular No. 209 Dt. 7.9.2013 issued by Corporate Office, Mumbai, on the basis of order passed by Hon'ble MERC Dt. 3.9.2013 in Case No. 28/2013, Dt. 4.9.2013 in Case No. 44/2013 and Dated 5.9.2013 in Case No. 95/2013. Since the Commercial Circular has been issued by Corporate office, Mumbai, the non applicant has no jurisdiction to exempt the applicant from levying the A.E.C. or to refund the amount charged. 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. Hence it is not within the jurisdiction of this non applicant to act outside the frame of guidelines given by Corporate Office. However, I.G.R.C. has directed the non applicant to refer the matter to Competent Authority at Corporate Office Mumbai.

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