



**CONSUMER GRIEVANCE REDRESSAL FORUM  
M.S.E.D.C.L., PUNE ZONE, PUNE**

**Case No.29/2014**

**Date of Grievance : 24.09.2014**

**Date of Order : 02.03.2015**

In the matter of wrongly levying of Maximum Demand Charges in the supplementary bill.

M/s. Kores (India) Ltd.,  
Chakan Foundry Division,  
Gat No.149, Chakan, Talegaon Road,  
Mahalunge Village, Chakan Tal. Khed ,  
Pune-410501

**Complainant**  
(Herein after referred to as Consumer)

**Versus**

Superintending Engineer,  
M.S.E.D.C.L.,  
Pune Rural Circle,  
Pune.

**Respondent**  
(Herein after referred to as Licensee)

**Quorum**

**Chair person**  
**Member Secretary**  
**Member**

**Mr. S.N.Shelke**  
**Mr. Y. M.Kamble**  
**Mr. S.S.Pathak**

**Appearance**

**For Consumer**

**Mr.Suresh Sancheti,**  
**(Representative)**

**For Respondent**

**Mr.Chaphekarande,Supdt.Engineer**  
**Pune Rural Circle**  
**Mr.Sawant,Exe.Engineer.**  
**(Admin.PRC)**  
**Mr.Bapat, Addl.Ex.Engr.**

- 1) The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & E.O.) Regulations 2006.

- 2) Being aggrieved and dissatisfied by the order dated 22.07.2014 passed by IGRC Pune Rural Circle, Pune thereby denying to refund demand charges . The consumer above name prefers this grievance application on the following amongst other grounds.
- 3) The papers containing the above grievance were sent by the Forum to the Suptd.Engineer, M.S.E.D.C.L., Pune Rural Circle, Pune vide letter no. EE/CGRF/PZ/Notice/29 of 2014/186 dtd.26.09.2014. Accordingly the Distribution Licensee i.e. MSEDCL has filed its reply on 15.10.2014.
- 4) We heard both sides at length, gone through the contentions of the consumer and reply of the respondent and the documents placed on record by the parties. On its basis following factual aspects were disclosed.
  - i) The connection of HT consumer bearing no.176099030420 is standing in the name of M/s. Kores (India) Ltd.
  - ii) Supplementary bill was issued by the Licensee to the said consumer for the period 13.10.2012 to 01.11.2012.
  - iii) According to Licensee the above said supplementary bill was issued to bring the billing cycle period uniform commencing from 1<sup>st</sup> day of every month to the last day of that month.
  - iv) Licensee has charged the demand charges proportionately for respective billing cycle.
- 5) Consumer representative namely Mr. Suresh Sancheti submitted that the MSEDCL has already recovered the demand charges on a monthly basis. When the 1<sup>st</sup> bill was issued to the consumer, the demand charges were recovered from the date of release of the connections till the month end. Subsequent to this, the MSEDCL starts recovering demand charges for the full month in the bill. This implies that when the supplementary bill is issued to the bring the billing cycle again to month end, no demand charges should be recovered in the supplementary bill. However, instead of that the MSEDCL has recovered demand charges in the above mentioned supplementary bill to the tune of Rs. 7,04,673.90/- which has been wrongly charged. Therefore the said amount be refunded with interest @ 12%per month.

- 6) On the other hand MSEDCL was represented by Mr.Chaphekarande, Supdt. Engineer, Pune Rural Circle, Mr. Sawant, Exe.Engineer, Mr.Bapat, Addl. Ex. Engr. (Admin.PRC). They submitted that due to adoption of automatic meter reading (AMR) system, MSEDCL has programmed TOD meters of all HT consumers in auto MD reset mode & has adopted the uniform billing cycle commencing from the period of first day of every month to the last day of that month for all HT consumers. In this regard, CE(Comm), MSEDCL, has issued instructions **vide Letter No.P-com/AMR/9566 dtd. 13.4.2012**. In the said letter the instructions regarding charging of max. demand (MD) etc. proportionately have been given. Accordingly billing period of the said consumer was from 13.10.2012 to 01.11.2012 for the supplementary bill of Nov.2012. Therefore to bring the billing cycle uniform from 1<sup>st</sup> of every month to the last date of that month, a supplementary bill was issued on 26.11.2012 for the period of 13.10.2012 to 01.11.2012. The demand charges in the said bill have been charged in proportion to the no. of days of reading/consumption. Thereafter the regular bills for the month of Nov.,2012 i.e. for the period 01.11.2012 to 30.11.2012 was issued on 15.12.2012 for consumption period only. As the billing period are different, and not overlapping, no additional demand charges have been levied. Therefore there is no question of any refund of Demand charges or any interest thereon.
- 7) Following points arise for our determination.
- i) Whether the Licensee has wrongly levied demand charges in the supplementary bills?
  - ii) Whether consumer is entitled to get refund of demand charges with interest?
  - iii) What order?
- 8) Our findings to the above mentioned points no. i & ii are in the negative for the reasons stated below -
- The MSEDCL vide Circular bearing no. CE (Comm.)/P-com/AMR/09566 dtd.13.04.2012 issued in respect of Billing of HT consumers through automatic

meter reading (AMR) from May-2012. Item No.5 in the said Circular reads as under -

*5. In the first Energy Bill, the M.D. Charges for a period before shifting to AMR and MD charges for a period after shifting to AMR shall be charged proportionately.*

- 9) The MSEDCL has issued supplementary bill for the month of Nov.2012 on dt.26.11.2012 for the billing period of 13.10.2012 to 01.11.2012 & Regular bill for the month of Nov. 2012 was issued on dt.15.12.2012 for the period of 01.12.2012 to 31.12.2012. All charges including MD charges are charged in supplementary bill proportionately to the Days/period of reading though IT billing system automatically, no manual calculation for charging is done. The MD charges are in proportion to the numbers of days of reading due to adoption of Automatic meter reading in system. The billing periods for regular bill of supplementary bills are totally different & hence MSEDCL has not charged additional demand charges.
- 10) Therefore as per policy, the MSEDCL has programmed all HT TOD meters in AUTO MD RESET mode and has adopted & uniform billing cycle commencing from the period of 1<sup>st</sup> day of every month to the last day of that month. Therefore in order to achieve the said uniformity the licensee has issued the supplementary bill for the said transition period and the demand charges has been proportionately charged in the said above mentioned supplementary bill only for the respective billing cycle period. Therefore, we do not find any additional demand charge has been levied by the Licensee in the said supplementary bill. Therefore there is no question of any refund of demand charges for paying of interest thereon. Hence we answer points no.i & ii in the negative. The grievance is liable to be dismissed.

11) Post of Chairperson, CGRF of this Zone was vacant during the period from 28.7.2014 to 7.12.2014 & CGRF member post was vacant from 1<sup>st</sup> Nov.2014 to 1<sup>st</sup> Feb.2015. Hence grievance could not be decided during a period of 2 months.

12) Hence we pass the following order:

**ORDER**

1. Grievance application stands dismissed with no order as to cost.

Delivered on: - 02/03/2015

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|------------------|------------------|--------------|
| Y.M.Kamble       | Suryakant Pathak | S.N.Shelke   |
| Member/Secretary | Member           | Chairperson  |
| CGRF:PZ:PUNE     | CGRF:PZ:PUNE     | CGRF:PZ:PUNE |

Note :- The consumer if not satisfied may filed representation against this order before the Hon.'ble Ombudsman within 60 days from the date of this order at the following address.

Office of the Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606/608, Keshav Bldg.,  
Bandra Kurla Complex,  
Bandra(E), Mumbai-51.