

CONSUMER GRIEVANCE REDRESSAL FORUM
(Established under the section 42 (5) of the Electricity Act, 2003)
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION COMPANY LTD.
NASHIK ZONE

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Consumer Grievance Redressal Forum
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Dwarka, NASHIK 422011

No. / CGRF /Nashik/NUC/N.U.Dn.1/586/64/2016-17/

Date: **14/03/2017**

(BY R.P.A.D.)

In the matter of

Change of tariff code from HT IC to HT IN

Date of Submission of the case :30/01/2017

Date of Decision :14/03/2017

To.

M/s. CEAT Limited
82, M.I.D.C. Industrial Area,
Satpur Nashik 422007.
(Consumer No. 049069002284)

Complainant

1. Nodal Officer ,
Maharashtra State Electricity Distribution Com. Ltd.,
Urban Circle office, Shingada Talav,
Nashik
2. Executive Engineer (U-1)
Maharashtra State Electricity Distribution Com. Ltd.
Kharbanda Park Nashik .

Distribution Company

DECISION

M/s. CEAT Limited , (hereafter referred as the Complainant). Satpur Nashik is the HT consumer of the Maharashtra State Electricity Distribution Company Ltd. (hereafter referred as the Respondent). The Complainant has submitted grievance against MSEDCL for change of tariff code from HT IC to HT IN . The Complainant filed a complaint regarding this with the Internal Grievance Redressal Committee of the Maharashtra State Electricity Distribution Company Ltd. Ltd. But not satisfied with the decision of the Respondent , the consumer has submitted a representation to the Consumer Grievance Redressal Forum in Schedule "A". The representation is registered at Serial No. 21 of 2017 on 30 /01/2017.

The Forum in its meeting on 31/01/2017, decided to admit this case for hearing on 21/02/2017 at (later changed to 22/02/2017 because of holiday for Municipal elections) 11.30 am in the office of the forum . A notice dated 31/01/2017 to that effect was sent to the appellant and the concerned officers of the Distribution Company. A copy of the grievance was also forwarded with this notice to the Nodal Officer, MSEDCL, Urban I Circle Office Nashik for submitting para-wise comments to the Forum on the grievance within 15 days under intimation to the consumer.

Shir. R.S. Bhagat , Nodal Officer/Ex. Engr. represented the Distribution Company during the hearing. Shri . B.R. Mantri appeared on behalf of the consumer.

Consumers Representation in brief :

1. The complainant had approached to SE for change of tariff in the year 2012. SE has told them that for the change of tariff, they have to approach to Chief Engineer.
2. The complainant had given the letter to Chief Engineer on date 07/05/2012 regarding heavy power tripping on the express feeder and change of tariff code HT IC to HT IN.
3. MSEDCL informed that as per MERC condition for the change of tariff, The consumer has to apply within the first month of tariff order. So the application has not been processed.
4. MERC has issued the tariff order on date 26/06/2015 and changed the earlier restriction ruling for change of tariff HT IC to HT IN. In this tariff order, MERC has withdrawn the restriction of within one month after tariff order and revised it to change the tariff HT IC to HT IN anytime during the financial year but only once in the financial year with one-month prior notice.
5. The complainant has given a request for change of tariff HT IC to HT IN on date 25/02/2016 and thereafter, our application was forwarded to Competent Authority for approval.
6. The complainant have given the reminders on date 14/11/2016 & 22/11/2016 for the effect in billing. But the application is pending with Competent Authority.
7. Meanwhile, MERC has issued the order on date 19/08/2016 for to consider the earlier applications which The complainantre submitted for change of tariff HT IC to HT IN with reference to SoP regulation.
8. Recently, MERC has issued the tariff order dated 03/11/2016, in which HT IC & HT IN both tariffs has merged.

Relief Sought :

To allow the request for change of tariff from HT IC to HT IN as per SoP regulation and refund the excess collected amount with interest.

Arguments from the Distribution Company:

The Distribution Company submitted a common reply for all the issues raised by M/s CEAT Ltd. by letter dated 20/02/2017 of the Nodal Officer, MSEDCL, Urban Circle Office Nashik and other relevant correspondence in this case as under:

1. Regarding AEC-1, AEC-2 ,AEC-3 & AEC-4 (Ref No. 1) : As per Commission's order on case No. 95/13, it is stated that charges of AEC-1 & AEC-2 are to be levied by MSEDCL for a period of six months from the month of Sept.2013 onwards. MSEDCL has rightly charges the charges in the bill generated in the month of Sept. For which amount was due to be paid. Accordingly MSEDCL stated recovering charges from the month of Sept. 2013.
2. Charges of AEC-1, AEC-2 ,AEC-3 & AEC-4 (Ref No. 1) have been applied and as per instructions given by head office in respective IT centers for generation of bills. In Hon, Commission order, it is stated that amount to be recovered from the month of Sept. 2013 onwards so that bill generated & issued in the month of Sept. 2013 for which due date was in the month of Sept. 2013& the amount is being recovered in the month of Sept. 2013 is correct. As per Hon. Commission's order, the Commission has allowed to recover the charges in six monthly instalments whereas MSEDCL recovered the charges only for 5 months. One month is still balanced.
3. Accordingly, this office has referred this matter for applicability & clarification of AEC charges , MSEDCL has acted as per Hon. Commission order & as per HT billing programme forwarded by H.O. & therefore application deserves to be dismissed.
4. Regarding Addl. FAC charges (Ref. No. 2): As per FAC circular No. 18 to 203, the Addl. FAC matter has to be billed from sept. 2013 upto Nov. 2013. However, its appears that the recovery is carried out as per programming through IT.
5. Regarding change of tariff code from HT IC to HT IN : List of 12 Nos. Of applications received from HT consumers for change of tariff code from HT IC to HT In & refund of excess collected amount due to tariff difference are forwarded to H.O. Mumbai for guidance but till awaited.
6. Regarding wheeling & transmission charges: Wheeling & transmission charges should be implemented through bill to the consumer & consumer bill should be generated as per directives of

Head Office, Mumbai through billing by IT department. No any interaction should be made by any one. So bill issued to the consumer is correct.

Action by IGRC :

1. Internal Grievance Redressal Cell Nashik Urban Circle conducted hearing on 09/01/2017 for the complaint submitted on 21/11/2016 .
2. After hearing both the parties IGRC gave decision regarding FAC and AEC as per letter dated 18/01/17 as under:

*^xktgdkl fotns dkr yko.; kr vkyys FAC r l p AEC-1. , AEC-2, pkt# (MERC order dtd. 05/09/2013 for case no. 95 of 2013 i ek. ks) AEC-3 pkt# (MERC order dtd. 03/09/2013 for case no. 28 of 2013 i ek. ks), AEC-4 pkt# (MERC order dtd. 04/09/2013 case No. 44 of 2013 i ek. k) r l p okf.kT; hd ifji=d dn 209 fn- 07@09@2013 ud kj ; kX; vkgr-***

Observations by the Forum:

After the hearing the complainant has submitted a letter dated 03/03/2017 sating as under:

With reference to above subject, we have contacted with Head office of MSEDCL and the proposal of change of tariff to all consumers is processed and kept for final approval to Managing Director.

We hereby are withdrawing our case with keeping our claim to again approach to CGRF, if our application has not decided by MSEDCL within a month.

In view of this letter the grievance is disposed off .

- . If aggrieved by the non-redressal of his Grievance by the Forum, the Complainant may make a representation to the Electricity Ombudsman, 606, 'KESHAVA', Bandra Kurla Complex, Bandra (East), Mumbai 400 051 within sixty (60) days from the date of this order under regulation 17.2 of the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006.

(Rajan S. Kulkarni)
Member

(Sandeep D. Darwade)
Member-Secretary
& Executive Engineer

(Suresh P.Wagh)
Chairman

Consumer Grievance Redressal Forum Nashik Zone

Copy for information and necessary action to:

- 1 Chief Engineer , Nashik Zone, Maharashtra State Electricity Distribution Company Ltd. , Vidyut Bhavan, Nashik Road 422101 (For Ex.Engr.(Admn)
- 2 Chief Engineer , Nashik Zone, Maharashtra State Electricity Distribution Company Ltd. , Vidyut Bhavan, Nashik Road 422101 (For P.R.O)
- 3 Superintending Engineer, Maharashtra State Electricity Distribution Company Ltd. , Urban Circle office, Nashik .

