

NO. EE / CGRF/AMZ/ Amravati/ No./51.

Dt. 07.10.2019

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To,  
The Nodal Officer /  
The Executive Engineer,  
MSEDCL, O&M Achalpur Division,

The order passed on in the Complaint No. 10/2019 is enclosed herewith for further compliance and necessary action.

  
Secretary

Consumer Grievance Redressal Forum,  
MSEDCL, Amravati Zone, Amravati.

Copy s.w.rs..to:-

1. The Chief Engineer, MSEDCL, Amravati Zone, Amravati.
2. The Superintending Engineer, MSEDCL, Amravati circle, Amravati.

Copy to :-

- 1) The Executive Engineer, (Admin), Amravati circle
- 2) M/s Khandelwal Ginning and pressing, c/o Bhavesh Harendra Somaiya A2-405, Rami Heritage Society Opp To old RTO office, Murtizapur Road, Akola - 444004

**CONSUMER GRIEVANCE REDRESSAL FORUM  
AMRAVATI ZONE, AMRAVATI  
'Vidyut Bhavan', Shivaji Nagar, Amravati: 444603, Tel. No. 0721 2551158**

Dt: 07-10-2019

**ORDER**

Case No. 10/2019 dated 08.08.19

**In the matter of grievance pertaining to refund Electricity Duty**

**Quorum**

**Dr. Vishram Nilkanth Bapat (Chairman)  
B.D.Augad, Member Secretary  
Sau. Sushama Joshi, Member (CPO)**

**Complainant**

**M/s Khandelwal Ginning and Pressing  
c/o Bhavesh Harendra Somaiya A2-405, Rami Heritage Society Opp To old  
RTO office, Murtizapur Road, Akola - 444004.  
Consumer No:359820004327**

**Versus**

**Respondent**

**The Executive Engineer ,  
MSEDCL, O&M Division,  
Achalpur**

**Appearances:-**

**Complainant Representative :- Shri. Ashish S Chandarana**

**Respondent Representative :- Shri. C.N.Mohokar, Dy.Exe. Eng. Daryapur**

**A. Consumer Details**

Name	MSEDCL Office	Consumer No.	Category	Date of Connection
M/s Khandelwal Ginning and Pressing factory	EE, Achalpur	359820004327	Industrial	10-11-2015

## **B. IGRC Proceedings**

<b>Application Date</b>	<b>Hearing Date</b>	<b>Order Date</b>
23.05.2019	Not mentioned in IGRC order.	12-06-2019

## **C. CGRF Proceedings :**

<b>Application Date</b>	<b>Date of Serving Notice by CGRF</b>	<b>Due Date of Reply</b>	<b>Applicable Clause of MERC Regulations 2006 (CGRF &amp; Ombudsman)</b>
08-08-2019	16-08-2019	31-08-2019	6.4
<b>Date of Reply by NA</b>	29-08-2019		
<b>Date of Hearing Notice</b>	09-09-2019	<b>Date of Hearing</b>	19-09-2019 and rehearing on date 27.09.2019

## **D. Gist of Grievance of applicant:**

<b>S.N.</b>	<b>Description</b>
1	Applicant approaches CGRF on the basis of Maharashtra Government notification dated 7 July 2004 regarding exemption of electricity duty to all the existing and upcoming industrial consumers in Vidarbha region. By issuance of subsequent notifications by Government of Maharashtra, the said exemption continues to be continually effective from the year 2004 till the year 2024, to IGRC for obtaining refund of illegally recovered ED by MSEDCL from him.
2	In order to comply with the above notifications of GOM, MSEDCL issued Circular Nos. 393/2004, 101/June 2009, 196/July 2014.
3	In Spite of intimation from CE Commercial to ED of the concerned region, the exemption of ED to industrial consumers of Vidarbha region has not been implemented uniformly to all eligible consumers.



4	Applicant being the consumer since 10 Nov. 2015, respondent failed to assign him appropriate duty code till date in spite of the departmental circulars to that effect.
5	Concerned Electrical Inspector office have expressed their displeasure in through letter for not complying with the ED exemption Notification by GOM.
6	Negligence in filling appropriate duty code as per Departmental circulars 393 and 101 by MSEDCL.
7	In case of HT consumers under MSEDCL circle office, Akola, ED exemption has been duly given and no consumer had face illegal recovery.
8	<b>State Govt. has now delegated powers to refund excess recovery of ED to MSEDCL and hence the respondent does not require any permission therefor.</b>
9	Complainant files relevant order of Hon. Electricity Ombudsman, Nagpur for reference.

**E. Prayer by Applicant:**

S.N.	Description
1	Direct MSEDCL to refund electricity duty from the date of connection till the date of refund @ 12%p.a. By giving annual credit on accumulated basis as per the bank practice of MSEDCL practice in the event of security deposit.
2	Any other relief including the cost of representation of Rs. 5000/-

**F. Gist of Reply filed by N.A.MSEDCL:**

S.N.	Date	Description	Violation, if any
1	29-08-2019	The incorrect tariff applied in respect of the ED is corrected through application ID 21699835. Hence the applicant will not with ED from Sept. 2019.	

