

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Case No.13 of 2017

Date: 11 April, 2017

CORAM:Shri. Azeez M. Khan, Member

Shri. Deepak Lad, Member

**In the matter ofPetition of M/s. D.J.Malpani, Sangamner for non-compliance of CGRF,
Nashik Zone's Order dated 27.10.2016 in Case No. 148 of 2016 by Maharashtra
Electricity Distribution Company Ltd. regarding refund of penal charges levied for
exceeding the Contract Demand.**

M/s. D. J. Malpani

.....Petitioner

V/s

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)..... Respondent

Appearance:

For the Petitioner:

...Shri.B.R.Mantri(Rep.)

For the Respondent:

...Shri.J.S.Chavan (Rep.)

Daily Order

1. Heard the representatives of the Petitioner and Respondent.
2. Representative of the Petitioner stated that MSEDCL has not complied with the Order of CGRF dated 27 October, 2016 in stipulated time limit, and has made false submissions to the Commission that it had done so. MSEDCL has given effect only in the billing month of February 2017. Interest on account of delay has also not been paid by MSEDCL. Representative of the Petitioner stated that although MSEDCL had belatedly complied with the Order of CGRF wherein it was directed to give effect to the enhanced contract demand from the month of January, 2016 and withdraw the penal charges applied for exceeding the contract demand and refund them with interest at the Bank Rate as per Section 62 (6) of Electricity Act, 2003. MSEDCL had not refunded the Temporary charges levied

because of the generation-end and consumer-end caps (referred to also in the Rejoinder).

3. To a query of the Commission, Representative of the Petitioner could not fully explain the meaning of “cap” in relation to his contentions, and RE generation.
4. Representative of MSEDCL stated that Head Office Circular in relation to Open Access Consumers resulted in procedural delays in enhancing the contract demand of the Petitioner. The Commission observed that such delays were not in keeping with the provisions of Supply Code 2005 and SOP Regulations, 2014.
5. To a query of the Commission, Representative of MSEDCL replied that it had complied with the Order of CGRF in true spirit. MSEDCL would also pay the interest on account for delay for the months of November and December, 2016, which was missed out unintentionally while giving effect to the Order of the CGRF, in the bill for the month of April, 2017.

The Case is reserved for Order.

**Sd/-
(Deepak Lad)
Member**

**Sd/-
(Azeez M. Khan)
Member**