

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Case No. 113 of 2017

Date: 5 October, 2017

**CORAM: Shri Azeez M. Khan, Member
Shri Deepak Lad, Member**

In the matter of
Petition of M/s. Gangotri Textiles regarding non-compliance of the Commission's Order
dated 22 July, 2016 in Case No. 85 of 2015

M/s. Gangotri TextilesPetitioner

V/s

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

Appearance:

For the Petitioner: ...Shri H.D. Khapare (Rep.)

For the Respondent: ...Shri Sagar Marulkar (Rep.)

Daily Order

1. The Parties were informed that the Commission has resolved that the matter will be heard and decided by a two Member Bench.
2. The Commission heard the representatives of the Petitioner and the Respondent.
3. Representative of the Petitioner stated as follows:
 - i. On 23 May, 2013, the Petitioner had made an Application to MSEDCL for change in Tariff category from Continuous Industry to Non-continuous Industry. Since MSEDCL had not decided the Application, the Petitioner approached CGRF and thereafter the Electricity Ombudsman.

- ii. In its Order dated 2 March, 2015, the Electricity Ombudsman directed MSEDCL to decide the Application within two months.
 - iii. Since this Order was not implemented by MSEDCL, the Petitioner had approached the Commission in Case No. 85 of 2015. The Commission, vide its Order dated 22 July, 2016, had directed MSEDCL to implement the directions of the Electricity Ombudsman within 30 days.
 - iv. The present Petition has been filed seeking compliance of the Commission's Order dated 22 July, 2016 in Case No. 85 of 2015 for refund of the Tariff differential in a definite timeframe. Interest should also be allowed from the date of the Order passed by the Electricity Ombudsman. Also, the provisions of Section 142 of the Electricity Act, 2003 should be invoked against MSEDCL.
4. Representative of MSEDCL stated that:
- i. The Petitioner's Application was forwarded to the Corporate Office for approval of the competent authority. Necessary follow up was made and the Orders passed by the Electricity Ombudsman and the Commission were informed to the Corporate Office.
 - ii. MSEDCL vide its Board Resolution dated 1 June, 2017 has resolved that, all pending as well as disposed applications shall be considered in accordance with the Commission's Order in Case No. 94 of 2015.
 - iii. A centralized software has been prepared for dealing with such cases and, out of 101 cases in Kolhapur Circle, 72 cases have been disposed off. As regards the Petitioner's Case, the refund calculation is being done and, since it is a permanently disconnected case, approval from the Corporate Office would be required for depositing the refund in the Petitioner's bank account.

To a query of the Commission, MSEDCL informed that the centralized software has no provision for dealing with the interest claims.

The Case is reserved for Order.

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

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