

MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
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Date:- 18 January, 2022

CORAM:- Sanjay Kumar. Chairperson
I.M Bohari, Member
Mukesh Khullar, Member

Diary No. 12 of 2022

**Case of Mahanagar Gas Limited under Section 86(1)(k) of the Electricity Act, 2003,
challenging the impugned circular dated 1 December, 2021, issued by the Maharashtra
State Electricity Distribution Company Limited**

Mahanagar Gas Limited (MGL): - Petitioner
Vs
Maharashtra State Electricity Company Limited (MSEDCL) : - Respondent

Appearance

For Petitioner: - Shri. Mridul Chakravarty (Adv.)
For Respondent: - Smt. Deepa Chavan (Sr. Adv.)

Daily Order

1. Considering request for urgent listing, Petitioner MGL was allowed to mention its case.
2. Advocate of Petitioner stated that: -

2.1 MGL is supplying Compressed Natural Gas (CNG) to CNG Stations by installing CNG compressors and dispensers at various locations in and around Mumbai, Thane and Raigad Districts. It has 270 CNG Stations out of which 114 stations fall under MSEDCL licensed area. As per the Tariff Orders of the Commission, CNG bottling plants fall under industrial category whereas retail sale of the gas fall under commercial category.

2.2 MSEDCL vide commercial circular dated 1 December, 2021 has decided to bill the CNG Pumps and retail sale of CNG gas under one roof of commercial category. This is in contravention of various Tariff Orders passed by the Commission and MSEDCL's own circular dated 26 June 2009.

2.3 MSEDCL has issued demand letters to CNG Stations for retrospective recovery of differential tariff with effect from August 2012 and further threatened about disconnection if such amount remained unpaid. MSEDCL has already disconnected two CNG stations in Raigad District on this account.

2.4 As an interim prayer, pending adjudication of present case on merits, MGNL requested the Commission to restrain MSEDCL from taking such coercive action against CNG Stations.

3. Advocate of MSEDCL stated that she has received the Petition yesterday only and requested to list the matter for hearing after some time so that she can seek instructions from MSEDCL. She also assured to pursue with MSEDCL for not taking any coercive action in the interim against CNG Stations.
4. Having heard the Parties, the Commission notes that this matter needs to be heard finally after receipt of submissions from all parties. But till that time, CNG Stations which is essential service and their users should not be put to inconvenience. Therefore, the Commission directs MSEDCL to desist from taking any coercive action against CNG Stations and restore supply to CNG stations disconnected on account of alleged arrears.
5. MSEDCL is further directed to file its reply within two weeks and MGNL to file its rejoinder, if any, within a week thereafter.

After receipt of above submissions, next date of hearing will be intimated by the Secretariat of the Commission.

**Sd/-
(Mukesh Khullar)
Member**

**Sd/-
(I.M. Bohari)
Member**

**Sd/-
(Sanjay Kumar)
Chairperson**