



Madhya Pradesh Electricity Regulatory Commission
5th Floor, Metro Plaza, Arera Colony, Bittan Market, Bhopal 462 016

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Petition No. 25 of 2006

SUB: IN THE MATTER OF WRONG APPLICATION OF TARIFF

Pithampur Audyogik Sangathan, 231, Saket Nagar Indore – 452 018	-	Petitioner No. 1
M/s. Sureka Paper Containers Pvt. Ltd., Morya House P-2, 16/2, New Palasia, Indore – 452001.	-	Petitioner No. 2
M/s. Vindas Chemical Industries Pvt. Ltd., 106, Barjatya Chambers, 4, Jaora Compound, Indore.	-	Petitioner No. 3
M/s. Diversi Tech General Engineering Pvt. Ltd., 4, Joy Building Colony, Saket, Indore – 452018	-	Petitioner No. 4
M/s. Rajshri Engineering Pvt. Ltd., 120-B, Pologround, Indore	-	Petitioner No. 5
M/s. Shreepati Pharmaceuticals Pvt. Ltd., 208, Silver Arc Plaza 201 New Palasia, Indore	-	Petitioner No. 6
V/s M.P. Paschim Kshetra Vidyut Vitaran Co. Ltd. Indore.	-	Respondent

ORDER

(Passed as on this day of 13th June, 2006)

Shri Ajay Porwal, Consultant, Shri R. Modi, Vide President, Dr. D. Dataria, Secretary-in-chief and Shri Sanjee Sureka, Executive appear on behalf of the Petitioner.

Shri D.K. Ojha, Addl. SE O/o CMD (WZ) appears on behalf of the Respondent.

2. Petition has been filed by the petitioner on 12/04/2006 in the matter of wrong application of Tariff.

3. Petitioner submits that it is an Industrial Association and has jointly submitted the petition alongwith Petitioner no. 2,3,4,5 and 6 who are having LT agreements for a load of 100 HP or below with the respondent. As per Tariff schedule LV-4 for FY 06 all LT connections got converted into demand tariff and respondent started billing as per MD tariff 4.1 (d) treating entire connected load as contract demand even through the MD is much lower without advising the petitioners for signing a new agreement. Petitioner further submits that the vigilance team of the respondent visited petitioner's factories and made Panchnama and Provisional Assessment and imposed heavy penalties but as per LV-4 tariff schedule the additional charges were to be laid only if MD exceeded the CD but the respondent has done penal billing

4. Petitioner further informs the Commission that the Electricity Grievances Forum has also given a favorable decision to Petitioner No. 4 but the respondent is not complying the order on the ground that this case is of 126 of the Electricity Act, 2003. The petitioner therefore submits to the Commission to quash all the penal billing against all the petitioners.

5. Petition is listed for motion hearing. Commission heard the petitioner. Considering the facts and circumstances of the case Commission states that the Electricity Grievances Redressal Forum has been set up by the Respondents. Commission does not agree with the arguments of the petitioner that it is merely a case of wrong applicability of tariff. If an assessment order has been passed under Section 126 of the Electricity Act 2003, there is a mechanism for hearing appeals against the order of Assessment Officer. The petitioner may avail of this facility.

With the directions aforesaid, Commission decides to close the case.

Ordered accordingly.

Sd/-

(D.Roybardhan)
Member (Engg.)

Sd/-

(P.K.Mehrotra)
Chairman

