



Madhya Pradesh Electricity Regulatory Commission

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Home

About Us

Acts & Rules

Regulations

Consumer Service

Regulated Entity

MPERC Info

Related Links

RTI Act 2005

Non-Conventional

Tenders Info

Tariff Orders & Petitions

Suo Motu Orders

Final Orders

Approach & Discussion Papers

Contact Details

Feedback Form

Miscellaneous Info

National Electricity Policy

Tariff Policy

MIS Status

Contact Us

Petition No. 21/2006

SUB: IN THE MATTER OF PETITION REGARDING DEDICATED FEEDER MAINTENANCE CHARGES LEVIED ON RAILWAY.

M/s. Senior Divisional Electrical Engineer (TRD) - Petitioner
West Central Railway,
Bhopal

V/s. - Respondent
The Superintending Engineer (O&M),
M.P. Paschim Kshetra Vidyut Vitaran Co. Ltd.,
Khandwa

ORDER

(Passed as on this day of 25th April 2006)

Shri L. L. Meena, Sr. Divisional Electrical Engineer (TRD), appear on behalf of the petitioner.

Shri S. L. Nim, E.E. O/o S.E., Khandwa appear on behalf of Respondent.

2. The petition is in the matter regarding dedicated feeder maintenance charges levied on railway.

3. It is submitted by the petitioner that the respondent Superintending Engineer (O&M), M.P. Paschim Kshetra Vidyut Vitaran Co. Ltd., Khandwa is unilaterally including the "dedicated feeder maintenance charges" @ Rs. 2,06,520/- per month. In the month of February 2006, S.E. has included Rs. 40,84,642/- in regular bill as dedicated feeder maintenance charges and surcharges without submitting documentary evidences. The petitioner has paid the bill at time after deducting the dedicated feeder maintenance charges and surcharges which were included unauthorisedly. The petitioner replied well in time as these charges are not applicable to the Railways. It is further stated by the petitioner that railways had not demanded dedicated feeder from the respondent and also that other Discoms are not asking for dedicated feeder and maintenance charges i.e. M.P. Madhya Kshetra Vidyut Vitaran Co. Ltd., Bhopal and M.P. Poorv Kshetra Vidyut Vitaran Co. Ltd., Jabalpur. The matter was also referred to Executive Director, MP Paschim Kshetra Vidyut Vitaran Co. Ltd, Indore requesting for not levying the dedicated feeder maintenance charges and not to disconnect power supply of railway being a public amenity department and it would cause great inconvenience to public and also normal loss. In spite of our request S.E. (O&M), Khandwa advised petitioner to pay the dedicated feeder maintenance charges and surcharges along with regular bill otherwise part payment shall not be accepted for the month of March 2006. Therefore, the petitioner prays to the Commission to issue instructions to respondent not to disconnect electricity supply and also to issue instructions to respondent for withdrawal of all the claims of Rs. 40,84,642/- for dedicated feeder maintenance charges and not to demand the dedicated feeder maintenance charges in future.

4. The respondent submits in its written reply that disconnection is not being done as the electricity being used in public interest. The respondent also submits that the Commission, while issuing tariff order 2004-05 had also approved schedule of Miscellaneous and General Charges and as per item no. XVILL of this schedule maintenance charges for dedicated feeder is levied @ 1% of cost of extension to be borne by consumer. The applicant has been advised to clear outstanding dues on this account before end of March 2006. However, the applicant has not cleared outstanding dues on this account.

5. The Commission heard both the parties. Having considered the facts and circumstances of the case, Commission is agreeable with the petitioner that dedicated feeder maintenance charge is applicable only when a dedicated feeder is provided on the specific request of the consumer, and not because of any technical requirement of MPSEB. The petitioner has submitted that no such request was made by the Railways for providing any dedicated feeder to railway's traction sub-stations. It is clear from the reply submitted by the respondent that dedicated feeder was laid to get uninterrupted quality supply. Railway being public utility department, it is duty of licensee to provide uninterrupted quality power. Therefore, the Commission makes it clear that no maintenance charges and surcharge should be levied on the dedicated feeder of the railway. Commission also states that in the note-2 of para 1.3 of HV-1 for the tariff 06-07, Commission ordered that dedicated feeder charges shall not be applicable on railways. On the ground mentioned above, the Commission also directs respondent to withdraw all the claims of Rs. 40,84,642/- for dedicated feeder maintenance charges and surcharge levied on the petitioner.

Case is disposed-off with the direction aforesaid.

Ordered accordingly

Sd/-

(R.Natarajan)
Member (Econ.)

Sd/-

(D.Roybardhan)
Member (Engg.)

Sd/-

(P.K.Mehrotra)
Chairman