



Madhya Pradesh Electricity Regulatory Commission  
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**M.P. ELECTRICITY REGULATORY COMMISSION :BHOPAL**

**SUB: IN THE MATTER OF REPRESENTATION FILED AGAINST THE ORDER OF ELECTRICITY CONSUMER GRIEVANCES REDRESSAL FORUM, BHOPAL DATED 17.12.04 IN CASE NO. 29/2004.**

**Petition No. 39/2005**

**M.P. ELECTRICITY REGULATORY COMMISSION**

**BHOPAL**

**SUB: IN THE MATTER OF ALLOWING PAYMENT OF HT BILL WITHIN 21 DAYS PERIOD INSTEAD OF 15 DAYS. INTERPRETATION OF CLAUSE 10(7) OF THE ELECTRICITY SUPPLY CODE, 2004 AND ISSUE OF INSTRUCTION THEREOF**

M/s. Jaiprakash Associates Ltd. Jaypeenagar Rewa V/s M.P. State Electricity Board	-	Petitioner
	-	Respondent

**ORDER**

**(Passed on this day 4<sup>th</sup> April, 2006)**

Shri P.L. Nene, Consultant and Shri Ajay Tewari, Sr. GM appears on behalf of Petitioner.

Shri M.L. Jaiswal, Senior Advocate, Shri S.P. Ahirwal, Sr. AO, Rewa and Shri B.L. Kaurav, S.E. (Comm.) appear for the Respondent Board.

2. The petition is in the matter of allowing payment of HT bill within 21 days period instead of 15 days. Interpretation of clause 10(7) of the Electricity Supply Code, 2004 and issue of instruction thereof.

3. During the course of last hearing time was granted to the respondents for submission of its reply.

4. Today the Petitioner states that MPSEB has been issuing bills to HT consumers demanding payment within 21 days of issue of bills as per Clause 25 of the HT agreement, but the bill to Jaypee Rewa Plant for the month of February 2005 was issued with only 15 days period to make the payment. The petitioner further states that the Electricity Supply Code 2004 came into force from 10/06/2004 which provides for making payment within 15 days which was enforced by the Respondent after a long period of nine months from the enactment of the Supply Code. Petitioner submits that the Respondent ought to have issued a public notice intimating the payment of bills within 15 days instead of 21 days. Petitioner therefore prays to the Commission to allow to make payment of February 2005 through cheque as per the earlier practice of 21 days payment period and no surcharge be levied on the same.

5. Respondent submits that the payment as per the HT agreement was made within 21 days from the date of issue of bill but as per the Electricity Supply Code 2004 payment of bills are to be made within a period of 15 days. The Supply Code further lays down that if the payment is not made on due date the consumer shall be liable to pay surcharge. Respondent further states that it is a settled principle of law that ignorance of law is no excuse and the Code having come into force on 10/06/2004 there is no reason why the petitioner should not make payment within the specified period laid down in Supply Code and therefore the Respondent prays to dismiss the case.

6. Commission heard the Petitioner and the Respondent. The Commission feels that there is no ground to agitate the matter whether the bill has to be paid within 21 days or 15 days from the issue of bill. The M.P. Electricity Supply Code has been notified and is applicable from 10/06/2004 and therefore issue of separate notice to the petitioner is not required. Notification published in the official Gazette is deemed a notice to the public at large. The Commission is of the view that delay in implementation of the Code on the part of respondent is undesirable, hence Commission directs respondent to take care in future in timely compliance of the orders and provision of Regulations passed by the Commission. Moreover delay in compliance of the provision of the Code is also detrimental to the interest of licensee. Petitioner has already made payments of the bill for month of February 2005. As mentioned above, Commission finds no reason to interfere in their matter at this stage. Therefore, with the direction aforesaid Commission decides to close the case.

Ordered accordingly.

Sd/-  
**(R.Natarajan)**  
Member (Econ.)

Sd/-  
**(D.Roybardhan)**  
Member (Engg.)

Sd/-  
**(P.K.Mehrotra)**  
Chairman