

TAMIL NADU ELECTRICITY REGULATORY COMMISSION
(Constituted under Section 82(1) of the Electricity Act 2003)
(Central Act 36 of 2003)

PRESENT :

Thiru. S. Kabilan	-	Chairman
Thiru. R. Rajupandi	-	Member
	and	
Thiru K. Venugopal	-	Member

M.P. No. 20 of 2009

Date of hearing 7-1-2010

Date of Order 7-1-2010

M/s Hi Tech Mineral Industries
Covai (P) Ltd. Kottagoundapatty Village
Omalur Taluk
Salem District 626 203

Petitioner/
Counsel for Petitioner
Thiru K. Seshadri
Advocate

Vs

The Superintending Engineer
Salem Electricity Distribution Circle
Tamil Nadu Electricity Board
Salem-626 014

Respondent/
Counsel for Respondent
Thiru H.S. Mohamed Raffi
Advocate

The above M.P.No.20 of 2009 praying for setting aside the demand made by Superintending Engineer, TNEB, Salem EDC in Bill No. 128 dated 30-1-2009 came up for final hearing on the 7th day of January 2010. The Commission after hearing both sides orally directed the petitioner to approach the Consumer Grievances Redressal Forum (CGRF),Salem as the dispute involved in the

instant case related to the consumer billing and as such the Commission has no jurisdiction. Pursuant to the above oral order the Commission passes the following

DETAILED ORDER DATED 7-1-2010

The dispute in the current case is essentially a dispute relating to consumer Billing and therefore comes within the purview of the Consumer Grievance Redressal Forum constituted under Section 42(5) of the Electricity Act 2003. This Commission has no direct jurisdiction in the matter. An appeal against the order of the Consumer Grievance Redressal Forum lies to the Electricity Ombudsman as per Section 42(6) of the Electricity Act, 2003.

Therefore the petitioner is directed to approach the Consumer Grievance Redressal Forum of Salem District.

Nevertheless, the Commission would like to observe that the penalty levied by the Superintending Engineer appears to be based on the recorded demand of 3232 KVA which seems to have been recorded prior to the close of the quota period. The penalty seems to have been levied as if the quota demand has been exceeded after the close of the quota period. This discrepancy can easily be reconciled by the Superintending Engineer by down loading the clockwise demand through CMRI. The Superintending Engineer will compute the levy based on the CMRI recording. Thereafter the party, if aggrieved can approach the Consumer Grievance Redressal Forum.

Delivered on 21-1-2010

(K. VENUGOPAL)
Member-II

(R. RAJUPANDI)
Member-I

(S. KABILAN)
Chairman