

**CONSUMER GRIEVANCE REDRESSAL FORUM,
AMRAVATI ZONE, AKOLA.**

“ Vidyut Bhavan” Ratanlal Plots, Akola : 444001 Tel No 0724 .2434476

Dt.12/03/2015

Complaint No.02 / 2015

**In the matter of grievance pertaining incorrect tariff & billing, refund /
adjustment of amount spent for Non-DDF CC & RF Scheme, etc.**

Quorum :

Shri T.M.Mantri, Chairman

Shri D.M.Deshpande, Member

Shri P.B.Pawar, Secretary

The Prisentent, Sk.Anwar .Mohd.Farooq,

Akoli bes Masjid and Mohammmadia

... Complaint No02/2015

Arbi Madarsa, Wadegaon Ta : Balapur Dist : Akola

.... .Complainant

.....Vrs.....

The Executive Engineer (R.) Dn. Akola

..... Respondent

Appearances :

Complainant Representative : Complainant in Person

Respondent Representative : Shri .P.J.Sangole, Dy.Executive Engineer

1. The complainant as a President of Trust : Akoli bes Mohammmadia Arbi Madarsa, Wadegaon Ta : Balapur Dist : Akola, has filed the present complaint, alleging that it is a registered trust by the State Government Wakf Board, Aurangabad. Allegations have been made about applying of wrong tariff with further allegations that the complainant Trust alongwith Phule Gramin Agril. Cooperative Credit Society, had applied for connection and after its sanction ,both have paid Rs.1,51,924=00 under Non-DDF CC & RF Scheme.

Neither the benefit of the said Scheme has been given , nor the bills have been issued but excessive bill after period of one year came to be sent for which the complainant was forced to pay Rs.30,000/- on 31-12-2014 and Rs.63,000/- on 23-1-2015. In spite making grievance, nothing has been done. Hence complainant approached this Forum, seeking reliefs prayed for. Alongwith the complaint, bunch of documents came to be filed.

2. After receipt of notice of this Forum, the N.A. filed reply, stating that connection has been given on 23-1-2012. As apart from Masque there is also Madarsa with residential Hostel etc, wherein religious education is provided, hence different LT tariff has been made applicable. So also it is stated that it was on agricultural feeder to which load shedding was applicable hence the complainant and Mahatma Phule Gramin Sahakari Pat Sanstha, Wadegaon has jointly given application under Non-DDF CC & RF Scheme, which was sanctioned. Recently, they have submitted the necessary documents and arrears were outstanding against the connection but no steps have been taken. After completion of necessary formalities, the adjustment of the amount in the electric bill is yet to be carried out and it will be done subsequently. Then reference has been made of certain documents filed with the reply.

3. At the time of hearing, the N.A. has filed additional reply raising plea of jurisdiction of CGRF alongwith copy of judgement of Writ Petition of High

Court. As the representative of the complainant has sought time for considering objection, time was granted enabling the complainant to file reply and documents, if any required to meet the objection raised by the N.A..

4. On the date of hearing, the complainant has filed additional written submission alongwith the bunch of documents. Heard Mr. Mohd. Farooq, Learned Representative for the complainant and Shri Sangole, Dy.Exe.Engineer, the Learned Representative for the N.A. Though on behalf of the N.A. objection was raised about the jurisdiction of the Forum, however, at the time of argument, the Learned Representative of the N.A. has fairly submitted that he is not pressing the objection of jurisdiction and accordingly has endorsed on the objection that he is withdrawing the said objection. In view thereof the parties have been asked to advance arguments on merits. Here, it is pertinent to note that the Learned Representative of the N.A. has submitted that after considering all the records, the N.A. is readily agreeing to consider the grievance of the complainant, in respect of tariff as per the Tariff Order of MERC and LT Residential tariff will be made applicable from the date of connection provided to the complainant and this will be implemented since the next billing . During the course of argument, it has been admitted that the complainant has deposited Rs.30,000 on 31-12-2014 and Rs.63000/- on 23-1-2015, furthermore the complainant with Mahatma Phule Gramin Sahakri Pat

Sanstha have spent the amount under Non-DDF CC & RF Scheme. As per the said Scheme the amount so spent for infrastructure needs to be adjusted in the Electric bills payable by the said consumer. The Learned Representative of the N.A. has fairly agreed therefor also. But according to him, this can be done after fulfillment of certain formalities and within a month or so, those formalities will be completed.

5. During the course of hearing, further it is revealed that the interest and delay payment charges have been levied. Admittedly the bills were not issued for substantial period, the Learned Representative of the N.A. has further agreed that the amount of interest and DPC, if any levied, will be deleted, so also submitted that the accumulated units recorded in Nov14, to be apportioned in 18months (June 2013 to Nov.2014) with slab benefit and whatever the amount the complainant has spent would be adjusted in the revised tariff to be made applicable to the complainant i.e. LT-1 Residential for both the connections and the balance, if remains, will be adjusted in the future bills of the complainant. The Learned Representative of the Complainant is satisfied with the submission and proposals made by the N.A.'s representative.

6 This Forum appreciates the fair attitude on the part of the N.A. through its representative whereby the grievance of the complainant has been admitted

to be resolved and expect that in all cases, such attempt is made wherever possible, instead of denying the just claim also. With such observations, this Forum proceeds to pass the following unanimous order:

ORDER

1. The complaint No. 2/2015 ,That as per the statement made on behalf of the N.A, the N.A. to make applicable LT Residential tariff from the date of connection to the complainant from the next billing cycle. Similarly, the N. A. to make adjustment of the amount incurred by the complainant under Non-DDF CC & RF Scheme, alongwith the payments deposited by it during the intervening period, in the Electric bills of the complainant since beginning and the balance, if any, is to be adjusted in the forthcoming electric bills of the complainant. While making above adjustment, the N.A. to delete the interest and DPC levied against the complainant in the CPL.
2. In the circumstances, the parties to bear their own costs.
3. That the compliance report be submitted within a period of one month from this order.

Sd-/
(D.M.Deshpande)
Member

Sd-/
(P.B.Pawar)
Secretary

Sd-/
(T.M.Mantri)
Chairman

No.CGRF/AMZ/Akola/702

Dt.18 /03/2015

To
The Nodal Officer / Executive Engineer,
MSEDCL,
Rural Division,
Akola

The order passed on 12-03-2015 in the Complaint No. 02/2015, is enclosed herewith for further compliance and necessary action.

Secretary,
Consumer Grievance Redressal Forum,
MSEDCL, Amravati Zone, Akola

Copy to:

1.The President, Sk. Anwar Mohd Farooq ,Akoli bes Masjid and Mohammadia, Arbi Madarsa, Wadegaon Ta : Balapur Dist : Akola .

2.The Superintending Engineer, O & M Circle Office Akola.