

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM ,
AURANGABAD ZONE, AURANGABAD**

Case No. CGRF/AZ/AUR/R /51/ 2007/ 20

Date of Filing: 01.08.07

Date of Decision: 29.09.07

M/s Kaygaon paper Mills Ltd.

S.No.No. 85, Village Pharola

Village Kaygaon, Nagar Road.

Aurangabad.

(Through its Director Shri Hemant Kunte)

Consumer Complainant.

V/s

Maharashtra State Electricity Distribution Co.Ltd.

Rural Circle, Aurangabad.

Coram:	Shri V.A.Hambire	President
	Shri H.A.Kapadia	Member
	Shri V.G.Joshi	Member secretary

**Sub: Grievance under the Maharashtra Electricity
Regulatory Commission, (Consumer Grievance
Redressal Forum and Ombudsman) Regulations
2006.**

1. The consumer has filed his grievance in Annexure
“ A “ before this Forum on **01.08.07** under Regulation No.
6.10 of the Regulations referred to above. A copy of the
grievance was forwarded on 01.08.07 to the Nodal officer
and Executive Engineer (Adm) in the office of the
Superintending Engineer, Rural Circle, Aurangabad with a
request to furnish his response on the grievance within a
period of fifteen days and hearing in the matter was fixed on
16.08.07

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“2”

2. The grievance of the consumer, in brief, as per consumer, is as stated below.

The consumer is having HT connection for his factory situated at above address and the consumer number allotted is 490019007020. The regular monthly bills to his factory are issued on the basis of the monthly meter reading taken by the representative of Distribution Licensee (hereinafter referred to as D.L.). However during the period October 2006 to March 2007 , the representative of D.L. has taken the meter reading irregularly. The consumer further contended that the span of meter reading taken is varying from 23 days to 36 days. Due to these irregularity in taking monthly meter reading the monthly consumption recorded are varying and therefore the amount paid towards additional supply charges (ASC) are in excess than the actual . He therefore requested the Forum to direct the D.L. to refund the excess amount charged towards additional supply charges during the above mentioned period along with 2% interest per month. The consumer filed the details of reading period and amount charged towards additional charges along with his grievance.

On the date of hearing i.e. on 16.8.07, the Nodal officer filed an application requesting for postponement of hearing due to proposed strike of their employee. The request of the Nodal officer was granted and the hearing was postponed to 22.8.07.

On the date of hearing i.e. on 22.08.07 , Consumer through his authorized representative Shri Hemant Kunte was present. Nodal officer filed authority letter in the name of Shri Kardile, Accounts officer , to represent on behalf of D.L. Neither the authorized representative of D.L. Shri Kardile was present nor any say was filed on behalf of D.L.at the time of hearing . Therefore last chance to file say was given to the D.L. and hearing was fixed on 24.08.07.

“3”

On 24.08.07, consumer representative Shri Kunte was present, Nodal officer Shri J.G.Jaiswal, Shri A.R.Patil , Asst.Engineer, Shri Kardile ,A.O. and Shri A.K.Gadekar were present on behalf of D.L. Nodal officer filed his reply on the grievance of the consumer, a copy of same was given to the consumer. Heard both the parties. To ascertain the impact of number of days on the ASC charges , the consumer was asked to file G-7 form . The Nodal officer was asked to file the relevant circulars/ directives regarding charging of ASC charges and hearing in the matter was kept on 01.09.07.

On 1.9.07, Consumer was present, Nodal officer Shri J.G.Jaiswal, Shri A.R.Patil , Asst.Engineer, Shri Kardile ,A.O. and Shri M.B. Shashtri were present on behalf of D.L. The Nodal officer filed G-7 form and statement showing the details of ASC amount charged during the period Oct.06 to March 07. During the hearing the Nodal officer asked for extension of time as the statement of ASC charges submitted by him requires correction and recalculations. The Nodal officer was asked to resubmit his revised statement before 7.9.07 and the case was kept for decision.

On going through the documents filed by both the parties, we observed that the representative of D.L. has taken the monthly meter reading of the consumer irregularly. As per MERC directives ASC charges are to be levied incase the consumer crosses the base units which are calculated on the basis of average of monthly consumption for the year 2005, which in this case, is 660797 units. As per tariff order passed by the MERC enforced from Oct.2006 to April 2007, 28% of the total consumption is to be charged as ASC . We further observed that, for the period Oct.06 to December 06 the consumer has crossed the base units and therefore ASC charges were levied in bills. However for the month Jan.07 & Feb 07 , No ASC charges were levied but again for the month of March 07 ASC charges are levied. The reading for the month Jan.2007 shows consumption for 35 days , for Feb.07 ... 23 days and that for March 07 it is for 36 days.

“4”

This clearly discloses that the number of days has direct impact on the ASC charges and the amount of bill varies accordingly. AS per MERC regulation ,the D.L. is required to issue monthly bills to the consumer . The excess or shorter period of reading other than month (30 days) , the ASC units and charges levied to the consumer are varied

We are therefore of the opinion that consumer has been charged excess amount when the period of reading exceeds average monthly period of 30 days in some months and no amount where the period shorter than 30 days. Since the number of days has direct impact on the ASC units and thereby on amount levied towards ASC, in the interest of justice we feel that the ASC charges are required to be recalculated on the basis of monthly consumption i.e. for 30 days period.

Hence the following order:

ORDER

1. The Distribution licensee is directed to revise the bills issued for the period Oct.06 to April 07 by considering the ASC units on the basis of 30 days consumption within 30 days from the date of this order.
2. The Distribution Licensee is directed to refund / adjust the excess amount in the next bill/ bills issued to the consumer along with interest at the bank rate of Reserve Bank of India

The D.L.& the consumer shall comply with the above order and report compliance to the Forum.

Inform the parties and close the case.

(H.A.Kapadia)
Member

(V.G.Joshi)
Member Secretary

(V.A.Hambire)
Chairman

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ग्राहक गा-हाणे निवारण मंच
महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
औरंगाबाद परिमंडळ.

जुने पावर हाऊस, पोलीस आयुक्तालयासमोर, डॉ.बाबासाहेब आंबेडकर रोड, औरंगाबाद.- ४३१ ००१

Case No. CGRF/AZ/AUR/U /51/ 2007/ 20

Date;-

To,

- 1. The Executive Engineer (Adm.)
O/O Superintending Engineer
O & M , Rural Circle, M.S.E.D.C.L.
Aurangabad.**
- 2. M/S Kaygaon Paper Mills Ltd.
Manisha, Nr. UTI Bank
Adalat Road, Aurangabad.**

Sub: Grievance incase No. CGRF/AZ/AUR/R/51 /2007/20

**Please find enclosed herewith a copy of order passed by
the Forum in the case mentioned above.**

The consumer, if not satisfied with the decision of the
Forum , is at liberty to make a representation to the Electricity
Ombudsman, the contact details of whom is as under, within a
period of 60 days from the date of this order.

Yours Faithfully,

Encl: A/A

Contact Details of Electricity Ombudsman:

**The Electricity Ombudsman
Maharashtra Electricity Regulatory Commission
606-608, Keshava Building
Bandra-Kurla Complex, Mumbai 400 051
Tel.No. 022-26590339**

ग्राहक गा-हाणे निवारण मंच
महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
औरंगाबाद परिमंडळ, औरंगाबाद.

जुने पावर हाऊस, पोलीस आयुक्तालयासमोर, डॉ.बाबासाहेब आंबेडकर रोड, औरंगाबाद.- ४३१ ००१(२३३६१७२)

No. CGRF/AZ/AUR/R/51/2007/20/

Date:-

To,
The Chief Engineer,
Aurangabad Zone, **M.S.E.D.C.L.**
Aurangabad.

Sub: Non compliance of CGRF order

Ref: Consumer's application dt. 02/January/.2008

(Case No. CGRF/AZ/AUR/R /51/ 2007/ 20)

Dear Sir.

Enclosing herewith the copy of the letter received from the consumer M/S Kaygaon Paper Mills Ltd., "Manisha" Behind U.T.I.Bank, Adalat Road, Aurangabad for non compliance of CGRF order. This is for your necessary action please.

Encl: A/A

Copy S.W. R. to:-

- 1) Executive Engineer (Admn.)
O&M Rural Circle, MSEDCL, Aurangabad.

Copy to:-

- 1) M/S Kaygaon Paper Mills Ltd., The case can not be admitted as per
"Manisha", Behind U.T.I. Bank, Annexure "A" point 10(d)
Adalat Road, Aurangabad

ग्राहक गा-हाणे निवारण मंच महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित

३३ के. वि. उपकेंद्र, एन ४ सिडको, " प्रकाश कुंज " औरंगाबाद - ४३१००३ दुरध्वनि व
फॅक्स क्रमांक (०२४०) २४७२३६३

To,

1. The Executive Engineer (Adm.)
O/o Superintending Engineer
O & M , Rural Circle, M.S.E.D.C.L.
Aurangabad.
2. M/S B.G.Appliances
Gut No. 968, Bidkin, Tal. Paithan ,
Dist. Aurangabad.

Sub: Grievance incase No. CGRF/AZ/R/39 /2007/8

Please find enclosed herewith a copy of order in the form corrigendum dt.15.6.07 passed by the Forum in the case mentioned above.

Yours Faithfully,

Encl: A/A

**ग्राहक गा-हाणे निवारण मंच
महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
औरंगाबाद परिमंडळ, औरंगाबाद.**

जुने पावर हाऊस, पोलीस आयुक्तालयासमोर, डॉ.बाबासाहेब आंबेडकर रोड, औरंगाबाद.- ४३१ ००१ फोन-२३३६१७२

No. CGRF/AZ/AUR/R/51/2007/20/

Date:-

To,
The Executive Engineer (Adm.)
O/O Superintending Engineer
O & M , Rural Circle, M.S.E.D.C.L.
Aurangabad.

Sub: Non compliance of CGRF order
Ref: Consumer's application dt. 14.11.07

(Case No. CGRF/AZ/AUR/R /51/ 2007/ 20)

Dear Sir.

Enclosing herewith the copy of the letter received from the consumer M/S Kaygaon Paper Mills Ltd., "Manisha" Behind U.T.I.Bank, Adalat Road, Aurangabad for non compliance of CGRF order

You are requested to report the compliance immediately.

Encl: A/A

Copy S.W. R. to:-

1. Chief Engineer (AZ) MSEDCL Aurangabad.

Copy to:-

2. M/S Kaygaon Paper Mills Ltd., "Manisha", Behind U.T.I. Bank,
Adalat Road, Aurangabad

