

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

Old Power House Premises, Dr.Ambedkar Road,Aurangabad-31001Ph.No.2336172

No. CGRF/AZ/AUR/R/77/2007/46/

Dated:

To,  
The Executive Engineer ( Administration)  
O/O Supdt. Engineer ( O & M ) Rural Circle  
M.S.E.D.C.L.,AURANGABAD.

Sub:- Forwarding of grievance of M/s Yog Industries Ltd.,(Formerly known as  
Yog Cement & Products Pvt.Ltd.,) Gat No.85, Farola,Tq.Paithan  
Dist.Aurangabad. ( Con.No.490019008557)

Dear Sir

Find enclosed herewith a copy of the grievance application received  
by the Forum from M/s Yog Industries Ltd.,(Formerly known as Yog Cement  
& Products Pvt.Ltd.,) Gat No.85, Farola,Tq.Paithan Dist.Aurangabad.  
(Consumer No.490019008557)

You are requested to submit your para wise reply on the grievance  
within 15 days from the date of receipt of this letter along with. related  
documents.

**The hearing of the grievance is fixed on 15/01/2008 at 11.30  
Hours.**

**Member Secretary**  
**C.G.R.F. Aurangabad.**

Encl: As above

Copy to:-  
M/s Yog Industries Ltd.,  
(Formerly known as Yog Cement & Products Pvt.Ltd.,)  
Gat No.85 Farola, Tq.Paithan Dist.Aurangabad.

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

**Case No. CGRF/AZ/AUR/R /77/ 2007/46**

**Date of Filing: 26.12.2007**  
**Date of Decision: 23.04.2008**

**M/s Yog Cement Products & Industries Pvt.Ltd.**

**Gut No. 85, Village Pharola**

**Paithan Road,Aurangabad.**

**( Through its Director Mrs. K.S.Jadhav)**

**Consumer Complainant.**

**V/s**

**Maharashtra State Electricity Distribution Co.Ltd.**

**Rural Circle, Aurangabad.**

<b>Corum:</b>	<b>Shri V.A.Hambire</b>	<b>President</b>
	<b>Shri H.A.Kapadia</b>	<b>Member</b>
	<b>Shri V.G.Joshi</b>	<b>Member secretary</b>

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

- 1. The consumer has filed her grievance in Annexure "A" before this Forum on 26.12.07 under Regulation No. 6.10 of the Regulations referred to above. A copy of the grievance was forwarded on 26.12.07 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 15.01.08**

“2”

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

The consumer is having HT connection for her factory situated at above address having consumer number as 490019008557. The consumer in her grievance stated that , as per MERC tariff and guidelines, ASC charges are to be levied on the base of Benchmark consumption and for that monthly meter reading is to be taken within a calendar month. The Distribution Licensee , in the month of Jan.2007, Sept. & Nov.2007 and has not taken the meter reading within stipulated days due to which she was required to pay excess amount to the tune of Rs. 3,38,664/ towards ASC charges. She therefore filed this grievance and requested the Forum to direct the D.L. to refund / adjust the excess amount paid towards ASC charges.

3. On the date of first hearing , i.e. on 15.1.08, consumer representative Shri M.C.Rudrawar present. Shri Kardile, Accounts Officer , representative authorised by Nodal Officer was present on behalf of D.L. He filed application for adjournment for 15 days for submitting his reply in the matter. The Forum reluctantly granted the request of the Nodal officer's authorized representative and the next date of hearing was fixed 22.1.08.
4. On 22.1.08, Both the parties were present. The authorized representative of Nodal officer, filed his reply on the grievance of the consumer. In his reply he stated that due work load and holidays, he was not able to take monthly reading on a fixed date. The readings taken are therefore for more or less number of days. The Nodal officer was asked to submit detail calculation and effect on ASC charges due to excess number of days in the bill of the consumer in the next date of hearing which was kept on 12.2.08.
5. On 12.2.08, both the parties were present. Authorized representative of the Nodal officer filed statement showing billing details and ASC charges but was unable to confirm the financial effect of additional number of days on ASC amount.

The representative of the consumer pointed that he has already filed statement showing effect of additional days on ASC amount. The Nodal officer and consumer were directed to verify the billing details and submit their say in next hearing which was kept on 18.2.08.

6. On 18.2.08, both the parties were present. Shri Kardille, Authorized representative of the Nodal officer submitted revised calculation sheet showing details of ASC calculation. As per the statement filed by him , an amount of Rs. 53992/ is required to be refunded. Since the representative of the consumer requested the Forum to grant 2-3 days time for checking the calculation , he was directed to file his say before 22.2.08 and the matter was kept for decision.
7. We have gone through the complaint of the consumer and the reply filed by the Nodal officer. We have also gone through the statements filed by both the parties wherein month wise details of date of reading, ASC charges levied are mentioned. On going through the same we observed that the consumer has been provided 33kv HT supply for the contract demand of 1000KVA by the D.L. The bills which includes ASC charges are issued on the basis of monthly consumption of the consumer recorded by the meter installed at the consumer premises . It is revealed from the statement filed in the Forum that meter readings are not taken regularly , i.e. within prescribed one month period. It is also observed that for certain months the bills were issued for the period exceeding 30 days which has resulted in recording consumption for period more than 30 days and thereby additional ASC units charges are levied in the bills. The consumer in her grievance before the Forum requested for revision of bills which includes excess ASC units due to additional number of days i.e for the month of Jan.07, Sept.07 & Nov.07.
8. The ASC charges revision sheet filed by both consumer and D.L. does not disclose the correct figures of excess / less amount charged due to additional or less number of days. The consumer , in her grievance application dt.26.12.07 , has sought refund/ adjustment of Rs. 3,38,664/ and during the hearing and on query by the Forum filed recalculated sheet and requested for refund / adjustment of amount of Rs. 88098=11. The D.L. on other side has shown Rs. 53992=67 as recoverable amount.

“4”

8. The consumer has filed this grievance in the Forum due to excess ASC charges levied to her due to extra number of days ,i.e. more than 30 days. It is admitted fact that since the bench mark is fixed for unit consumption for month , excess number of days than 30 days , affects the calculation of ASC units thereby levying excess amount towards ASC units.
9. In our opinion the correct 30 days (monthly) consumption can be worked out either by noting readings from the G-7 form which is required to be maintained by the consumer or alternatively by applying ratio method. However as the G-7 form is not maintained by the consumer neither the Nodal officer was able to produce the same, the only method left to calculate the ASC units is by applying ratio method. The method of calculation of ASC units is illustrated as follow. Example: where the reading period for a particular month is 35 days, the ASC charges shall be worked out as  $30 \times \text{No. of units} / 35 - \text{Bench mark consumption}$  . Similarly if the reading period is for 25 days , then in such case the ASC charges shall be  $30 \times \text{No. of units} / 25 - \text{Benchmark consumption}$ .

### **ORDER**

1. The D.L. shall revised and issue bills , as per above direction to the consumer within 30 days and excess amount , if any , shall be credited in the next bills due to be issued to the consumer.

Inform the parties and close the case.

**(H.A. Kapadia)**  
**Member**

**(V.G. Joshi)**  
**Member Secretary**

**(V.A.Hambire)**  
**Chairman**

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औरंगाबाद परिमंडळ,औरंगाबाद.**

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

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**Case No. CGRF/AZ/AUR/U /77/ 2007/ 46/**

**Date:-**

**To,**

- 1. The Executive Engineer (Adm.)  
O/O Superintending Engineer  
O & M , Urban Circle, M.S.E.D.C.L.  
Aurangabad.**
- 2 M/s Yog Cement Products & Industries Pvt.Ltd.  
Gut No. 85, Village Pharola  
Paithan Road,Aurangabad.**

( Through its Director Mrs. K.S.Jadhav)

**Subject :- Grievance Case No.CGRF/AZ/AUR/U/77/2007/46**

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**