

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

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Old Power House Premises, Dr.Ambedkar Road, Aurangabad. Phone: 0240-2336172

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**Case No: CGRF /AZ /U / 94 / 2008 / 15**

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

Sub:- Forwarding of grievance in respect of Shri Girish  
B.Khamgaonkar, Plot No.16, Samarthnagar ,Aurangabad.  
( Consumer No. 490010152205)

**Dear Sir**

Please find enclosed herewith a copy of the grievance application received by the Forum from Shri Girish B.Khamgaonkar, Plot No.16, Samarthnagar ,Aurangabad for passing interim order for not to disconnect electricity supply of his resident.

You are requested to submit your reply on the grievance The hearing is kept on **27.03.08 at 12.30 hrs .**

**Encl As above.**

Copy to :  
Shri Girish B.Khamgaonkar,  
Plot No.16, Samarthnagar ,  
Aurangabad.

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

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Old Power House Premises, Dr.Ambedkar Road, Aurangabad. Phone: 0240 - 2336172

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No,CGRF/AZ/U/94/2008/15

Date :-

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

Sub:- Forwarding of grievance in respect of M/S Vibjyor  
Chemicals Pvt.Ltd. Plot NO. D-1, MIDC, Railway Station,  
Aurangabad.  
(Consumer No. 490019007313)

**Dear Sir,**

Please find enclosed herewith a copy of the grievance application received by the Forum from M/S Vibjyor Chemicals Pvt.Ltd. Plot NO. D-1, MIDC, Railway Station, Aurangabad.

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 08.04.08 at 12.00 hrs.**

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

Encl: As above

**Copy to:-**  
M/S Vibjyor Chemicals Pvt.Ltd.  
Plot NO. D-1, MIDC, Railway Station,  
Aurangabad.

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

( Case No. CGRF/AZ/AUR/U/94/2008/15 ).

**Shri Girish S.Khamgaonkar -- Consumer Complainant.**

**Plot No.16, Samarthnagar,**

**Aurangabad.**

**( Con.No. 490010152205)**

**V/s**

**MAHARASHTRA STATE ELECTRICITY DISTRIBUTION  
COMPANY LTD. URBAN CIRCLE,AURANGABAD**

**The Distribution Licensee.**

**Date:- 27.03.2008**

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

**INTERIM ORDER**

The consumer has filed an application in the Forum for passing an interim order directing the Distribution Licensee not to disconnect the electricity supply of his residential connection. The consumer has also filed the bill under dispute issued by the Distribution Licensee due to internal fault in the meter along with his grievance.

The Nodal office was absent at the time of hearing . No response was filed by the Nodal officer nor any authorized person was deputed at the time of hearing therefore proceeding was carried out Ex-party.

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The consumer was heard at length. Prima-facie it is observed that due to internal fault in the meter , assessment bill of Rs. 16159/ was issued to the consumer which seems to be on higher side. Therefore in the interest of justice and as per provision No.6.5 of the Regulation , the Forum hereby direct the Distribution Licensee not to disconnect the electricity supply of the consumer.

This Interim order shall be subject to final decision on the grievance of the consumer, that may be passed by the Forum.

( V.G. Joshi )  
Member/Secretary

(H.A.Kapadia)  
Member

( V.A.Hambire)  
President

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

( Case No. CGRF/AZ/AUR/U/94/2008/15 ).

To,

1. **The Executive Engineer ( Administration)  
O/O Superintending Engineer  
O&M Urban Circle, M.S.E.D.C.L., Aurangabad.**
2. **Shri Girish B.Khamgaonkar  
Plot No.16, Samarthnagar, Aurangabad.**

**Dear Sir**

Please find enclosed herewith a copy of the interim order passed by the Forum .

The next date of hearing ,in this matter, is fixed on 08.04.2008. at 12.00 hrs.

**Encl As above.**

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

**Case No. CGRF/AZ/U/94/ 2008/ 15**

**Date of Filing: 23.03.2008**

**Date of Decision: 22.04.2008**

**Shri Girish B. Khamgaonkar,  
16 , Samarthnagar,  
Aurangabad.**

**V/s**

**Maharashtra State Electricity Distribution Co.Ltd.  
Urban Circle, Aurangabad.**

**Coram:**

<b>Shri V.A.HAMBIRE</b>	<b>Chairman</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 his grievance in Annexure " A " before this Forum on **24.03.2008** under regulation No. 6.10 of the Regulations referred to above. A copy of the grievance was forwarded on 24.03.2008 to the Nodal officer and Executive Engineer (Adm) in the office of the Superintending Engineer, Urban Circle, Aurangabad with a request to furnish his response on the grievance within a period of fifteen days.

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02. The grievance of the consumer as per consumer is stated as below. The consumer is having residential connection at above said address. In the month of June 2007, the representative of the D.L. inspected the meter of the consumer and the meter was found running 68 % slow. After a period of four months he received assessment bill amounting to Rs.16159/- On his enquiry with the concerned office of the D.L. he was told that the bill issued is on the basis of average consumption. However as the bill was abnormally high he submitted an application to the D.L. for issuing revised bill. In spite of his continuous follow-up the bill was not revised, he therefore filed his grievance with the Forum and requested the Forum to direct the D.L. to issue revised bill as per his average consumption. The consumer has also filed application for passing Interim order directing the Distribution Licensee (hereinafter referred to as D.L.) for not to disconnect his Electricity supply on account of this disputed bill till disposal of his grievance. On the request of the consumer the hearing for passing interim order was kept on 27.03.2008.
- 03) On 27.03.2008, consumer Shri Girish Khamgaonkar was present, Nodal Officer nor any of his authorized representative was present. The proceedings were therefore recorded ex-parte. Since the bill issued to the consumer by the D.L. seems to be on higher side and no details were found mentioned on the assessed bill, the Forum passed an Interim Order directing the D.L. not to disconnect the electricity supply of the consumer till final disposal of his grievance. The next date of hearing was kept on 08.04.2008.
- 04) On 08.04.2008, consumer Shri Girish Khamgaonkar was present, Nodal Officer Shri S.G.Pawar was present on behalf of the Distribution Licensee. The Nodal Officer filed his response on the grievance of the consumer. In his reply he stated that after testing, the meter of the consumer was found running 68.83 % slow. The consumer was therefore issued bill for the period April 2007 to June 2007 for 1534 Units amounting to Rs.16159/-. He further stated that the assessment bill issued to the consumer is correct and requested the Forum to dismiss the complaint of the consumer.
- 05) On hearing both the parties at length, and on going through the documents placed before the Forum, we observed that the electricity connection was given to the consumer and the consumer No. allotted to him is 490010152205. The meter installed bears Sr.No.02038180.

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06) On going through the meter replacement report dated 10.07.2007, we observed that the old meter bearing Sr.No.2038180 was replaced by new meter having Sr. No. 315924. We also observed that the old meter of the consumer was tested at the testing unit of the D.L. on 16.07.2007 and was found 68.83 % slow. The seal position on the said report is mentioned as **O.K.** The Nodal Officer, in his reply, also did not mention any doubt on the seal position of the meter which confirms that the meter was defective and due to defective working of the meter the recording was less to the tune of 68.83% .We further observed that both the meter replacement report and the testing report bears signature of the consumer. On going through the C.P.L. and the copies of the bills, we observed that the bills to the consumer till June 2007 were issued as per tariff for non-domestic consumer. However after July 2007, the bills issued are as per rates applicable for Domestic (Residential) tariff. The assessment sheet filed by the Nodal Officer discloses that the assessment for the period April 2007 to June 2007, and with meter running 68.83 % slow ,the total units is shown as 1534 Units which in our opinion are correct. However the assessment sheet further discloses that the bill was issued as per provision of section 126 of Electricity Act 2003. It is admitted fact that the meter was defective and no tampering of seal, meter was found, in our opinion Section 126 of I.E. Act 2003 does not apply in this case. Therefore the assessment given as per provision of Section 126 is totally wrong. Further the Electricity Supply Code and other condition of supply Regulations 2005 of Maharashtra Electricity .Regulatory Commission. (hearin after referred to as M.E.R.C.) clearly provides the procedures of assessment of bill in such cases.As per Regulations 15.4.1 the assessment period is to be considered as 3 months prior to the month in which the dispute has arisen. Therefore in our opinion and as per the provision mentioned in the Regulations 15.4.1 the consumer is required to be assessed as per rates applicable in which the consumer is categorized . There is no provision to charge penalty in the assessment bill, as per above said Regulations.

Looking to the above observations we are of the opinion that assessment bill for 1534 Units is to be issued to the consumer as per Commercial Tariff rates applicable for non-domestic consumer and no penalty is required to be levied..

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Hence the following order.

**ORDER**

1. The assessment bill for the period April 2007 to June 2007, amounting to Rs.16159/-, is quashed.
2. The D.L. shall issue revised assessed bill for the above period (1534 Units ) at the rate applicable to LT- Non Domestic consumer. No penalty and interest shall be charged in the assessment bill.
3. The assessment bill, as per above, shall be issued within 30 days and consumer shall pay the same within 15 days from the date of receipt of the said bill.

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 /94/ 2008/ 15/**

**Date:-**

**To,**

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

**2. Shri Girish B.Khamgaonkar,  
16, Samarthnagar,  
Aurangabad.**

**Subject :- Grievance Case No.CGRF/AZ/AUR/U/94/2008/15**

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**

