

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD.

Case No. CGRF / AZ / AUR / Rural / 567 / 2015 / 30

Date of Admission 04.12.2015

Date of Decision 19.01.2016

M/s. Umesh Board & Paper Mills ,
Pvt. Ltd. Gut No. 125, Village
Pandhari Pimpalgaon,
Consumer No.(490019008531)

COMPLAINANT.

VERSUS.

1. Superintending Engineer,
Rural Circle, Nodal Officer,
MSEDCL, Aurangabad.
- RESPONDENT

CORAM:-

Shri Dr.Bhaskar .G. Palwe Chairman
Shri U.M. Urkude, Member/Secretary
Shri Vilaschandra .S.Kabra Member.

Redressal Decision :-

The complainant M/s. Umesh Board & Paper Mills Pvt. Ltd.
Gut No. 125, Village Pandhari Pimpalgaon, Beed road, Aurangabad is
having consumer No. 490019008531 of the respondent, Executive
Engineer (Admn) Nodal Officer, Rural Circle, M.S.E.D.C.L.
Aurangabad. The complainant has submitted a complaint against the
respondent under Maharashtra Electricity Regularity Comission

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(Consumer Grievances Redressal Forum and Electricity Ombudsman) Regulation, 2006 in annexure " A " on 04.12.2015.

The details of the complaint are as under :-

The complainant has submitted application for change in category from express to non express in the office of respondent on 21.04.2015. As per MERC SOP Regulations, Respondent was bound to change the tariff category from express to non express within one month and effect of change of category was required to be given from 2 nd billing cycle, i.e. from May 2015 . The complainant has submitted that the application for change of tariff from express to non express was made on 21.04.2015 i.e. prior to issue of M.S.E.D.C.L circular No. 246 dated 11.08.2015 and therefore he is not required to submit any undertaking for change in tariff.

The complainant has prayed that :-

- 1) The complaint may be allowed.
- 2) The respondent may be directed to change the tariff category from express to non express with effect from May 2015.
- 3) The excess amount paid by the complainant may be refunded / adjusted in future bills along with 12 % interest.
- 4) Any other relief as deemed fit by the forum.

Say of Executive Engineer (Admn) Nodal Office, Rural Circle, MSEDCL, Aurangabad.

- 1) The consumer has given application for change of tariff

category on dated 21.04.2015. But consumer has not applied within the time as stipulated in MERC Case No. 44 / 2008. Therefore the application of the consumer was not considered.

- 2) Meanwhile MSEDCL has issued guidelines in regards to the change of tariff category vide commercial circular No. 246 dtd. 11.08.2015 and streamline the procedure by enumerating certain guidelines in the circular in order to bring uniformity in this regard. The M.S.E.D.C.L. sent a letter to the consumer vide office Lr. No. SE / ARC / HT-Billing / 462 dated 11.09.2015, for change of tariff category informing him to submit undertaking as per pre condition given in the commercial circular No. 246 before change of category.
- 3) The other HT-Express consumers opted for Non-express HT tariff had submitted the undertaking for change of tariff & the effects of change of tariff are given to them immediately, but the complainant is not ready to submit the undertaking as per Commercial Circular No. 246, hence as the representative of consumer is not ready to submit the undertaking. Therefore the respondent has submitted that it is not possible to change the tariff category of the consumer.

The respondent has revised the format of the undertaking in Consultation with Legal Advisor, however the consumer has denied to submit the undertaking in the revised format. The respondent has therefore submitted that complaint may kindly be dismissed.

Observations of Consumer Grievances Redressal Forum.

- 1) The action taken by the respondent i.e. Executive Engineer (Admn) , Nodal Officer, Rural Circle, Aurangabad by not

changing the tariff category from express to non express without submitting undertaking in the format decided by M.S.E.D.C.L. is as per the MERC guidelines.

- 2) The complaint needs to be dismissed.

In view of the submission made by the complainant and respondent and observations of the forum, the forum is of the opinion that the following order shall be issued.

ORDER

- 1) The complaint of the consumer is dismissed.

Sd/-
Dr. Bhaskar. G. Palwe
Chairman

Sd/-
Vilaschandra. S. Kabra
Member

Sd/-
U.M. Urkude.
Member / Secretary

