

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

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

Case No: CGRF /AZ /R / 109 / 2008 /30/

Date:-

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

Sub:- Forwarding of grievance in respect of M/s Ganpati Moulders
Pvt.Ltd., Gut No.937, Sompuri Road, Bidkin Tq.Paithan
Dist. Aurangabad. (Consumer No. 493029041160)

Dear Sir

Please find enclosed herewith a copy of the grievance application received by the Forum from M/s Ganpati Moulders Pvt.Ltd., Gut No.937, Sompuri Road, Bidkin Tq.Paithan Dist. Aurangabad..

You are requested to submit your parawise reply on the grievance within 15 days from the date of this letter

**The hearing of the grievance is fixed on date 08.07.2008 at
11.30 Hrs.**

Encl As above.

Copy to :

M/s Ganpati Moulders Pvt.Ltd.,
Gut No.937, Sompuri Road,
Bidkin Tq.Paithan
Dist. Aurangabad..

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

Case No. CGRF / AZ/ AUR / R / 109/ 2008/ 30

Date of Filing: 23.06.2008

Date of Decision: 19.07.2008

**M/s Ganpati Moulders Pvt.Ltd.
Gut No.937, Sompuri Road,
Bidkin, Tal.Paithan
Dist. Aurangabad.
(Consumer No. 493029041160)**

The Consumer Complainant.

V/s

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

The Distribution Licensee.

Coram:

**Shri V.A.Hambire
Shri H.A.Kapadia
Shri V.G.Joshi**

**President
Member
Member secretary**

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

The consumer complainant **M/s Ganpati Moulders Pvt.Ltd. Gut No.937, Sompuri Road, Bidkin, Tal. Paithan, Dist. Aurangabad**, has filed its grievance in Annexure "A" before this Forum on **23.06.08**, under Regulation No. 6.10 of the Regulations 2006. A copy of the grievance was forwarded on 23.06.2008 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 within (15) fifteen days from the date of receipt of the letter and the hearing in the matter was fixed on 08.07.2008.

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1. The grievance of the consumer, as per consumer, is as stated below.
 - a) The consumer has taken 11kv high tension electricity connection for Industrial purpose with contract demand of 625 KVA and connected load of 800 KW. On 04.12.06 , the consumer applied for reduction in contract demand from 625 KVA to 325 KVA. Since no response was received , a reminder letter was submitted to the Distribution Licensee (hereinafter referred to as D.L.) on 01.03.07. On this reminder letter, the consumer received a letter from the D.L. demanding copy of the latest paid electricity bill and other documents like A-1 form etc. which was submitted by the consumer on 29.3.07. The consumer further contended that even after submitting the latest paid bill copy to the D.L., no steps were taken by the D.L. The consumer therefore submitted reminder letters dt. 8.4.07 , 8.5.07 , 24.5.07 , 4.6.07 and 12.7.07 in this regards but no heed was given to her applications . On 18.07.07 consumer filed grievance with the Internal Grievance Redressal Committee of the D.L. The consumer finally received a letter from Superintending Engineer on 30.10.07 informing that the contract demand has been reduced from 625 KVA to 325 KVA and the effective date as 30.10.2007.
 - b) The consumer in his grievance filed before the Forum also contended that the application for reduction in contract demand was filed on 4.12.06 , however , the effect of reduction in contract demand was given from 30.10.07 by the D.L. due to which excess amount was required to be paid on account of maximum demand. The consumer therefore requested the Forum to direct the D.L. to give effect of reduction in contract demand from date of application, i.e. from 04.12.06 and further requested to refund the excess amount with interest. The consumer also requested for passing necessary directives for refund of excess security deposit.
2. On 08.07.08, i.e. on the date of first hearing , consumer representative Mrs. Rekha K. Laddha was present. Nodal officer's authorized representative Shri A.R.Patil , Asst. Engineer along with Shri D. G. Kardile , Accounts Officer were present on behalf of the D.L. Nodal officer's representative requested the Forum to grant time limit extension for filing his say in the matter. The Forum on granting the request , fixed the next date of hearing on 15.07.08

3. On 15.07.08, both the parties were present. Nodal officer's representative filed his response on the grievance of the consumer and stated that the application for reduction in contract demand was received on 01.03.07. The consumer, vide letter dt. 17.03.07, was informed to submit A-1 form and other documents which were received by them on 8.6.07. The application was thereafter processed and the sanction for reduction in contract demand was accorded and communicated to the consumer vide letter dt. 30.10.08 with effective date as 30.10.07.

The consumer contended that on receipt of letter dt. 17.3.07, she had submitted the A-1 form and other documents on 29.3.07 and not on 8.6.07 as stated by Nodal Officer. She also filed the acknowledged copy of the letter dt. 29.03.07. Copy of this letter was given to the Nodal Officer for his say. The Nodal officer confirmed the receipt of the said letter by the concerned office of the D.L.

4. On going through the documents filed by both the parties, we observed that the consumer has availed 11kv HT connection for its factory located at above mentioned address. The initial sanctioned contract demand & connected load was 625 KVA and 800 KW respectively. The consumer submitted application on 04.12.06 for reduction in contract demand from 625 KVA to 325 KVA.. On going through the acknowledgement copy of the said application, it is observed that even though the said letter is addressed to Superintending Engineer, Rural Circle, Aurangabad, the letter was acknowledged by the office of the Chief Engineer Aurangabad Zone on 04.12.06. Since no communication was received, the consumer filed reminder letter on 01.03.07 and on this reminder letter, the concern office of the D.L. processed the application of reduction in contract demand of the consumer. The consumer was asked to file A-1 form and other required documents which was submitted by consumer on 29.03.07.

We further observed that, the application dt.04.12.06 was addressed to Superintending Engineer, the same was acknowledged by Inward clerk of Zone Office, Aurangabad. Even though the letter was wrongly acknowledged by the Inward clerk of Zone office, it was expected to forward the same to the concern office of the D.L., in this case, to the office of the Superintending Engineer Rural circle, A'bad. for further processing. However as no such action was taken, the application was processed on the basis of the reminder letter dt. 1.3.07 submitted by the consumer.

“4”

We are surprised to note that the Internal Grievance redressal Committee of the D.L. , which is part of Consumer Grievance Redressal Mechanism did not entertained the complaint filed by the consumer before it on 12.7.07.

It has been further observed that the consumer has promptly submitted the A-1 form and other required documents to the concerned office of the D.L. We are therefore not ready to accept the contention of the D.L. that the consumer has completed formalities like submission of A-1 form etc. on 08.06.07 and about the effective date of reduction in contract demand as 30.10.07.

6. The Maharashtra Electricity Regulatory Commission , in its Regulation (Standards of Performance of Distribution Licensees , period of giving supply & determination of compensation) Regulation 2005 in Appendix “A” 7 (ii) has very clearly mentioned the time frame for processing application of reduction in contract demand. According to it the reduction in contract demand shall be made effective from second billing cycle. Considering the billing period and dates in this case, we are of the opinion that the effective date of reduction in contract demand shall be considered as billing date of Feb.07 .
7. As regards to refund of excess deposit amount, as per provision laid down in the M.E.R.C. Regulations 2005, D.L. is authorized to recalculate the security deposit on the basis of one month (Average of 11months) bill amount. The excess deposit amount, on the request of the consumer, shall be refunded/adjusted in next bills. On going through the last 12 months electricity bills and the bill amount statement filed by the D.L., we are of the opinion that an amount of Rs. 3.00 lacs (Rs. Three lac only) shall be considered as security deposit and the excess amount paid by the consumer shall be refunded / adjusted.

“5”

In view of above observations, we are of the opinion that the effective date for reduction in contract demand shall be considered as the billing date of Feb.2007 and excess amount paid towards security deposit shall be refunded to the consumer/adjusted in future bills of the consumer.

Hence the following order:

ORDER

1. The effect of reduction in contract demand shall be given from Feb.2007. The D.L. shall refund the excess amount received from the consumer after Feb 07 to 31.10.07 through bill/ bills.
2. D.L. shall pay interest at the rate, approved by Reserve Bank Of India, for the excess amount collected towards contract demand from the period mentioned above.
3. The excess deposit amount of Rs. 3.21 lacs shall be refunded to the consumer through monthly bill / bills.

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

Inform both 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/R /109/ 2008/30/

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 Ganpati Moulders Pvt.Ltd.,
Gut No.937, Sompuri Road,
Bidkin Tq.Paithan,
Aurangabad.
(Consumer No. 493029041160)**

Sub: Grievance in case No.CGRF/AZ/AUR/R/109/2008/30

**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**

