

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440 013

SHRI V.R.Khobragade,IAS(Retd)
Chairman

PH.(R)2457651(M)9923136412 (O) 0712- 2022198

Shri M.G.Deodhar,
Member

(M)9422805325

NO. CGRF/NZ/R/

Date :

Certified copy of order dtd 11th August,2008 in Case No. 53/2008 is enclosed herewith.

Member-Secy/ Exe.Engineer,
C.G.R.F.(NZ-R)MSEDCL
N A G P U R

Copy to:-

1. M/S. K.S.Paraboiling Ltd., Nagpura Murri, At & Post-Mirri, District-Gondia.
2. The Chief Engineer,Nagpur Zone (Rural)MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.
3. The Exe.Engineer/N.O., O&M Circle Office, MSEDCL. Gondia. --
4. The E.E.,C.C.O&M Dn., MSEDCL, Gondia for information and necessary action.

Address of **the Electricity Ombudsman** is given as below.

Office of - **The Electricity Ombudsman,**

Maharashtra Electricity Regulatory Commission,
606-608, Keshava Building,
Bandra-Kurla complex,
MUMBAI- 400 051

TEL.- 022 - 26592965 (Direct)
022 - 26590339 (Office)

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
M. S. ELECTRICITY DISTRIBUTION CO.LTD.
(NAGPUR ZONE – RURAL) NAGPUR.**

Application/Case No. CGRF/NZ/Rural/ **53** of 2008

Applicant : M/s. K.S.Paraboiling, Nagpura Murri, At & Post-Mirri, Dist- Gondia.

-- VS --

Non-applicant : 1.Executive Engineer/Nodal Officer, I.G.R.C,
Circle Office,M.S.E.D.C.L., Gondia.
2.Executive Engineer,C.C.O&M Dn., M.S.E.D.C.L., Gondia

Present : 1.Shri V.R.Khobragade,Chairman
2.Shri M.G.Deodhar,Member
3.Shri S. J. Bhargava,Member/Secy.

Appearance. : 1. Shri K.S.Parihar, Representative and
2. Shri Sanjay Khandelwal, Applicant
present for Applicant.
1. Shri S.W.Gawande, E.E./N.O.
2. Shri J.P.Manegaonkar,Jr.Mgr(F&A)
present for Non-Applicants.

ORDER

(Passed this 11th day of August,2008)
(Per Shri V.R. Khobragade, CHAIRMAN)

1. Shri J.P.Khandelwal. Partner of M/S. K.S.Paraboiling, Gondia is a L.T.industrial consumer of M.S.E.D.C.L.(Hereinafter referred at 'Non-applicants') having No. 438290007408 at Murri, Taluka-Gondia, District-Gondia.
2. The Applicant has come to this Forum against I.G.R.C.'s order on the plea that partial relief is given by I.G.R.C. In the prayer to C.G.R.F. he has demanded relief as (i) all D.P.C. and interest amount charged from Nov,2004 to May,2008 should be withdrawn. (ii)Action should be taken against responsible employee. (iii) Compensation to be paid for mental harassment.
3. Nowhere it is mentioned that interest and D.P.C. charged from July,05 to Dec,07 should be withdrawn. In fact he prayed for to withdraw interest and DPC on the amount of Rs. _____(current bills of Jul,05, Aug,05, Sep,05 and Oct,05) sent by cheques.

4. Further I.G.R.C. has given relief on the above amount. The amount of Rs. 42000/- paid is also accepted and there nothing remains to be disputed.
5. He has filed a grievance application in form Schedule 'A' as per Maharashtra Electricity Regulatory Commission (C.G.R.F.& E.O.) Regulations, 2006 to this Forum on 30/6/2008. His grievance is that the non-applicants has charged D.P.C. and interest from Nov,2004 to May,2008 despite payment of Rs. 1,50,000/- on 2/11/2004 and Rs. 1,66,320/- on 12/7/2005. Applicant approached to I.G.R.C., Gondia on 18/3/2008. I.G.R.C., Gondia passed order on 17/5/2008 and as per applicants view has given relief partially. Being aggrieved with the order No.2189 dtd.17/5/2008 passed by Internal Grievance Redressal Cell, Gondia, he has filed present application.
6. On receipt of grievance application in form Schedule 'A', the Forum issued acknowledgement to Applicant, called parawise comments of the non-applicants, a copy of the parawise comments was sent to the Applicant, issued notices to both the parties and finally heard both the parties on 31/7/2008.
7. Shri K.S.Parihar, Representative of Applicant and Shri Sanjay Khandelwal, Applicant were present for Applicant; whereas Shri S.W.Gawande, E.E./Nodal Officer and Shri J.P.Manegaonkar, Jr.Manager (F&A) appeared for non-applicants.
8. Representative for Applicant in his oral as well as written submission contended that even after payment of Rs. 1,50,000/- on 2/11/2004 in bill of Dec,2004 to June,08 this amount was not accounted for and bills were issued without considering the payment DPC and interest were charged accordingly. In June, 2005 Applicant approached to office of non-applicants (A.E.) with the receipt and after due adjustment paid Rs. 1,66,320/- on 12/7/2005 and all the amount was cleared upto June,2005. Again from July,2005 incorrect amount of interest,arrears and D.P.C. appeared and this was continued upto Dec,2007 which shows total bill of Rs. 7,22,160/-. Consumer again wrote a letter in writing and non-applicants withdrawn only interest and D.P.C. of Rs. 1,50,000/- paid in Nov,2004. He vehemently argued that though he has not paid any current bill from July,2005 due to inclusion of wrongful arrears, interest and

D.P.C. without accounting paid amount. He further stated that Applicant sent cheques, for current bill of July to October, 2005 which were not accepted by the non-applicants. The amount of 4 nos. of cheques comes to Rs. 100471/- should be adjusted and D.P.C. and interest charged should also be accounted accordingly. Likewise he has paid Rs. 44029/- on _____ This should also be adjusted. He lastly prayed that (1) all D.P.C. and interest amount charged from Nov,2004 to May,2008 should be withdrawn. (2)Action should be taken against responsible employee. (3) Compensation to be paid for mental harassment.

9. Non-applicants contended that Applicant has orally admitted that after payment of Rs. 1,50,000/- on 2/11/2004 amount was wrongly reflected alongwith interest and D.P.C. upto Jun,2005 when the consumer visited non-Applicants office. The accounts were checked and only Rs. 1,66,320/- was found to be recoverable after adjustment of Rs. 1,50,000/- and withdrawal of D.P.C. and interest on the same and this balance amount is Rs. 1,66,320/- was paid by the consumer. Non-applicants further contended that I.T. Centre(Billing centre) is at Bhandara and due to some communication gap again interest and D.P.C. were charged in monthly bill. In his Parawise comments the non-applicants contended that for the first payment of Rs. 1,50,000/- paid on 2/11/2004. Rs. 2,27,710/- has been adjusted in the bill of Dec,2007. Break up of amount is that the principal amount is Rs. 150000/- , interest for the period from Dec,2004 to Oct,2007 amounting to Rs. 75,3875/- and D.P.C. amounting to Rs. 1735.49. As agreed Applicant paid Rs. 1,676,320/- on 12/7/2005 and, therefore, Nil balance appears in the month of June,05. Non-applicants stated that no record is made by Applicant that the current bill were not accepted by the non-applicants. Further as per order of I.G.R.C., Gondia the four cheques paid for the month of July to October, amounting to Rs. 1,00,471/-; interest amounting to Rs. 45211.95 and D.P.C. amounting to Rs. 2,009.42 has been credited to the consumer and revised bill for an amount of Rs. 3,29,484/- has been given to the consumer on 5/7/2008. Further amount of Rs. 2.00 lakh paid on 11/12/2007 and Rs. 47000/- paid in Jan/Feb,2008 also accounted for and now amount due upto Sep,2007 is Rs.

7,01,744.65 is correct. Non-applicants prayed that consumer should be directed to make the payment according.

10. After carefully going through the record, oral submission and data available, the Forum observed that Applicant did not send any cheque towards current bill after Oct,2005 as accepted by I.G.R.C. and paid Rs. 1,66,320/- on 12/7/2005 on the ground that wrongful D.P.C. and interest and paid amount are appearing in the bill from Dec,04 to June,05. They did not approached in writing to any office of the non-applicants They should have sent cheque by post or in person of current bills which would have shown the willingness of Applicant to pay monthly bill. During the span of Jul,2005 to Dec,2007 30 months, they did not raise dispute on any platform like I.G.R.C. , C.G.R.F. and other available means. It is noted that non-applicants did not disconnect supply during the above period. Hence we do not find any substance of quashing interest on the current bill upto Dec,2007. There is also imperfection in the service of non-applicants that as per occasion consumer was paying the amount and same was was not reflected in subsequent bills. They should investigate the matter which has blocked their revenue for 30 months.

11. With the above observations, the Forum unanimously pass the following order

.-: ORDER :-

1. Application is rejected.
2. No compensation is to be paid.
3. Parties to bear their own costs.

CHAIRMAN

MEMBER

MEMBER/SECY

CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L.(NAGPUR ZONE – RURAL)NAGPUR

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