

**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

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NO. CGRF/NZ/R/

Date :

**Certified copy of order dtd 3<sup>rd</sup> day of September,2009 in Case No.**

**126/2009 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. Hindustan Tyre Industries, 405/2 Gram Gankhera Gondia Goregaon Road Th. Goregaon, Dist-Gondia-441601 (M.S.)
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/ **126** of 2009

Applicant : M/S. Hindustan Tyre Industries, 405/2 Gram Gankhera Gondia  
Goregaon Road Th. Goregaon, Dist-Gondia-441601 (M.S.)

-- VS --

Non-applicant : 1.ExecutiveEngineer/Nodal Officer, Internal Grievance Redressal Cell,  
Circle Office, M.S.E.D.C.L., Gondia.  
2.Executive Engineer, C.C.O&M Dn., M.S.E.D.C.L., Gondia.

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Present : : 1.Shri V.R.Khobragade,Chairman  
2.Shri S.F.Lanjewar, Member-Secy.

Appearance. : 1. Shri Vishal Shende, Proprietor, M/S. Hindustan Tyre  
Industries, Representative of Applicant Present.

1. Shri S.W.Gawande, N.O./E.E.  
2. Shri Narendra Parihar, Dy.E.E.  
3. Shri V.S.Pachare, Jr. Manager(F&A) .  
Present for Non-Applicants.

**ORDER**

( Passed this 3<sup>rd</sup> day of September,2009)  
( Per Shri V.R. Khobragade, CHAIRMAN)

1. Being aggrieved with the order of I.G.R.C., Gondia, the Applicant through its representative Shri Vishal Shende, Proprietor, M/S. Hindustan Tyre Industries, Gondia made an application in form Schedule 'A' to this Forum as per MERC(CGRF&EO)Regulations, 2006 on dtd. **6<sup>th</sup> July,2009** requesting Forum to direct the MSEDCL not to charge the penalty and interest for the period of non-receipt of bill and secondly, not to recover the excess billing for excess consumption shown by Electric meter without use.
2. After receipt of the application, the Forum issued acknowledgement to Applicant, called parawise comments of the non-applicants (hereinafter called 'DL'/'NA'), a copy of the parawise comments was sent to the Applicant, issued notices to both the

parties, finally heard both the parties on **30/7/2009**. Forum thus, offered a fair, reasonable and adequate opportunity to both the parties for submission of their say in the matter.

3. The matter in brief is that the Applicant is a consumer of D.L. bearing consumer No. 432680002760. Shri Shende, the representative contended that the Applicant is an SSI Unit engaged in tyre remoulding activities. The Applicant contended that till Nov,2006 the bills were correctly raised by D.L. and the Applicant paid the same in time. But D.L. has not raised any bill to the Applicant from Dec,2006 to May,2007. D.L. has again started raising bills from June,2007 and the bill sent by the D.L. included the bill of past period for which D.L. has not recovered the electricity charges. The arrears shown in the bill of May,2007 was Rs. 70,219/- the consumer is not disputing the said amount of Rs. 70,219/- but the grievance of consumer is that he is not liable to pay interest and delayed payment penalty charges on said amount as the payment was not made by consumer because the D.L. has not raised and sent any bill for the said period earlier time of point. The Applicant requested to Forum to direct the D.L. not to penalize on said amount of Rs. 70,219/- He made correspondence in this regard on 6.6.2007 and 28.6.2007 (Record page 19 & 20).

Representative further contended that the second grievance is bill for Aug, Sept, Oct, Nov,2007 during which meter showed high consumption of electricity beyond imagination. Consumer filed a statement showing electricity consumption during the said period. ( Record page 13). The representative further contended that average unit billed by the D.L. is 3260 unit per month and the average bill amount of Rs. 14,780/-. The Applicant filed a statement showing electricity consumption for 6 months prior to above said disputed period.(Record page 14) which shows consumption of electricity was 534 units per months and bill amount was Rs. 4,251/- per month. The Applicant filed a statement showing electricity consumption after above said disputed period which shows that 640 unit per month of consumption and average bill amount

was Rs. 3910/- per month. The Applicant raised grievance before D.L. Goregaon and Gondia but the J.E., A.E.(Rural) and E.E. Gondia had not resolved the grievance for which the Applicant made correspondence on 23/10/2007, 15/1/2009 and 16/1/2009. The Applicant further said that consumption of electricity prior and after the disputed period is not more than 640 unit per month and the bill raised by D.L. is arbitrary, incorrect and illegal and need to prepare correct and proper bill for Aug to Nov,2007. The representative further contended that Applicant is not satisfied with the order of I.G.R.C.,Gondia dtd. 28/5/2009 in which the Applicant is directed to pay the amount of arrears in six monthly installments and the Applicant paid first installment on 5/6/2009 under protest. The representative lastly contended and requested that the Forum to direct D.L. Goregaon and Gondia not to take any harsh action like disconnection of supply till this grievance raised by the Applicant is solved and the Applicant is ready and prepared to deposit the amount of current bill.

4. Shri S.W.Gawande,N.O., Shri N.K. Parihar, Dy.E.E. and Shri V.S.Pachare, Jr.Manager were present on behalf of the non-applicants. Shri Parihar and Shri Gawande made oral submissions. The N.A. said that the bills for Dec,2006 to May,2007 was issued to the Applicant time to time. As the bill for Dec,2006 to May,2007 was not paid by the Applicant the amount of arrears for the above period was merged in regular bill for the month of Jun,2007 to June,2008 Rs. 70,219/- The payment of Interest and DPC levied due to non-payment of bill is a legitimate act of D.L. The D.L. further said that bill amounting to Rs. 14,780/- against consumption of 3260 unit per month for Aug, Sept, Oct,2007 issued to consumer may not be entertained. Bill towards electricity consumption for the billing period 6 months period to said dispute period for the amount Rs. 4251/- issued by this office is in order and stood recoverable from the consumer. The D.L. is not agree with the dispute filed by the consumer as the bill of Rs. 3910/- p.m. is in order considering consumption of electricity energy by the consumer. The D.L. further said that action

taken by A.E.(R) and J.E. towards recovery against energy bill is appropriate. The D.L. also said that the bill for the month of Aug,07 to Nov,2007 is in order. The order issued by the IGRC, Gondia to pay the amount of arrears in six month by installment is felt justified.The D.L. further contended that the consumer has already paid two instalment of Rs. 18080/- vide MR No. 1676322 date. 6.6.2009 and Rs. 24982/- vide MR No. 1676669 date. 7.7.2009. The D.L. lastly contended that the Applicant be directed to pay dues outstanding with them in light of IGRC order dtd. 28/5/2009 as it is legitimate in accordance with the bills issue by the consumer.

5. On going through the case papers, it is found that then J.E. Shri Dhoke was examined before I.G.R.C., Gondia and he did not support the plea taken by the Applicant and stated that the monthly bills were served to the consumer, regularly. An amount of Interest charged towards the bills for the month of July,2006 to March-April,2007 is as per rule and therefore the interest cannot be waived.

As regards increase of units consumption, it is seen that meter was tested by Meter Testing Division, Gondia and the result was found satisfactory ( Page No.25). Thus the request made by the Applicant is also rejected on this ground. For the reasons discussed above Forum pass the following order.

**-: ORDER :-**

1. Application is disallowed and the order passed by I.G.R.C., Gondia is confirmed.
2. No order to costs.
3. Parties be informed accordingly.

SD/-  
(V.R.KHOBRADE)  
CHAIRMAN

SD/-  
(S.F.LANJEWAR)  
MEMBER/SECY

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

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