

CONSUMER GRIEVANCE REDRESSAL FORUM,
AKOLA ZONE, AKOLA.

“ Vidyut Bhavan ” Ratanlal Plot, Akola. Tel No 0724.2434475

ORDER .

Dt. 17 / 02 /2017

Complaint No. :- 24/ 2016

In the matter of grievance pertaining to non effecting of Load reduction refund of excess amount, SOP compensation etc.

Quorum

Shri T.M.Mantri, Chairman
Shri. R.A. Ramteke ,Member-Secretary
Shri. D.M.Deshpande-Member (CPO)

Ananatrao Shetkari Sahkari Soot :- Complainant.
Girni Ltd, Hingoli Road, Washim.
Consumer No. Ind. – 326019027230

.....Vrs.....

Superintending Engineer MSEDCL, :- Respondent
O&M Circle, Washim.

Appearances: -

Complainant Representative :- Shri. Ashish Chandarana

Respondent Representative :- Shri. Bansode Superintending Engineer

1. The complainant's case in brief is that in spite approach made to S.E.Washim on 28.10.2016 for load reduction, however the response was not proper. On the contrary demand was made for giving consent under DDF scheme, in contravention to MERC orders & circulars of the Licensee it self. According to the complainant as per regulation 6.5 , it can approach to CGRF & in any case S.E. being superior to chairman IGRC, therefore the complainant can approach to the forum in view of cause of action and in view of demand of cost of CT/PT by letter dt.07.12.2016

2. The complainant has then given history of the earlier transaction including load reduction application from 800 KVA to 450 KVA on 28.10.2016 with refund of corresponding security deposit.

3. It is alleged that as per regulation reduction in load to be effected from 2nd billing cycle and it was necessary for N.A. to give effect of reduction in load from 2nd billing cycle . Averments have been made about demand & recovery of CT/PT which is part of meter, hence it is in contravention to the regulations & MERC orders. Reference has been made to order of J.J. Fines spun Pvt Ltd., so also referred replacement of CT/PT by the N.A. on its own in the matter of Adishakati, Muktai , S.S. Girni Ltd, so also made reference of advice of C.E. commercial in r/o changes of CT/PT being responsibility of MSEDCL.

4. The complainant has made averments about approach made to S.E. Washim and then that of CGRF. According to the complainant the N.A. is adopting different kinds of treatment & sought the relief of load reduction from 2nd billing cycle, payment of SOP compensation and take to action against the erring employee. Documents came to be filed with complaint.

5. After receipt of notice, the non applicant appeared before this forum and filed reply raising objection about tenability of the complainant, making reference of some of provisions of the regulations including objection for direct approach to CGRF .Reference has been made to the order and alleging that reference of regulation 6.5 is totally immaterial. It is further stated that there is no circular for not allowing to recover charges for changing of CT/PT . It is stated that by letter on 30.2.2016 fresh agreement from reduction of contract demand from 800KVA to 450 KVA was accorded. It is stated that Security deposit will be refunded after giving effect of load reduction, admitting that load reduction needs to effected from 2nd billing cycle, however the complainant should complete the formalities.

6. Reference has been made to the earlier history since July-2012 & attempt on the part of complainant for changing the connected load. According to the N.A. complainant is unable to finalize quantum of load required by it. The N.A. tried to give explanation, justifying its stand about demand of charges. According to the N.A. complainant was requested to execute present agreement, however complainant paid Rs. 1900/- on 31.12.2016 & did not turn up to complete the formalities.It is admitted about averments of

the complainant in r/o CT/PT , but stated for recovery of charges subject to final opinion of corporate office & pressed for dismissal of complaint. Certain documents filed with the reply.

7. Heard Shri Ashish Chandarana and Shri Bansode S.E.alongwith Shri Khan Dy.E.E. ,the learned representatives of both the parties. Though the N.A. has raised objection about direct approach to CGRF , however on going through the relevant provisions more particularly regulations 6.2 with proviso, It has been admitted that the complainant had approached in r/o grievance & It was not directed to IGRC. It is also admitted that in contingences the consumer can approach to CGRF. In any case the aim & object of the regulation is about setting of mechanism for redressal of the grievance of the consumer amicably, Regulation 6.5 gets attracted.

8. As far as the nature of grievance it is clear that the N.A. is asking of charges of CT/PT, admitting CT/PT is the part of the meter. Reference has been made to order of case 56/2007 & tariff order framed by MERC. The CT/PT being part of meter, it is to be borne by the Licensee MSEDCL. As per definition of meter CT/PT is included and the learned representative of the N.A. has admitted the same. Even in para No. 13 of reply , it has been averred that on final opinion of corporate office charges of CT/PT may be recovered. During course of arguments it has been admitted that till date no opinion/ reply has been received from the corporate office. It has been admitted that the load reduction is to be made from 2nd billing cycle as per regulations.

9. During course of arguments, it has been pointed out by the leaned representative of the N.A about frequent request made by the complainant for modification of the load. Initially it was 1495 KVA & it was requested for 800 KVA. Again after few months request was made for 450 KVA. It has further filed request for enhancement of load from 450 to 500 KVA and then 500 to 550 KVA. This has been admitted by the leaned representative of the complainant, considering such admission/position the claim of the complainant for SOP compensation etc cannot be accepted. In any case in view of giving of last request for change of load recently, after filing of the present complaint to this forum,

the complainant is not entitled for SOP compensation as per regulation to give effect of reduction in load as per regulation before 2nd billing cycle, on the basis of last revised application of complainant With such observations, this forum proceeds to pass following unanimous order.

ORDER

1. The complaint No. 24/2016 is here by partly allowed.
2. The N.A. to effect reduction in load as per last revised application of the complainant before 2nd billing cycle as per the provision of the MERC regulation. Excess amount,if any to be adjusted in the forth coming bill payable by the complainant.
3. The complainant's claim for SOP compensation is turned down.
4. In the circumstances parties to bear their own cost .
5. The N.A. to submit the compliance report within period of one month from this order.

s/d
Member/Secretary

s/d
Member (CPO)

s/d
Chairman

Contact details of Electricity Ombudsman appointed by MERC (CGRF&EO) Regulations 2006 under Regulation 10:

THE ELECTRICITY OMBUDSMAN,
Office of Electricity Ombudsman (Nagpur)
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,Nagpur-440 013.
Phone : 0712-2596670

No.CGRF /AKZ/ AKL/ 33

Dt. 18.02.2017

TO

The Nodal Officer,
Superintending Engineer O&M Circle, MSEDCL,Washim.

The order passed on 17/ 02/2017 in the Complaint No. 24 /2016, is enclosed herewith for further compliance and necessary action.

Secretary,
Consumer Grievance Redressal Forum,
MSEDCL, Akola Zone, Akola

Copy f.w.c. to:-

1. The Chief Engineer Akola Zone, Akola.
2. Anantrao Shetkari Sahkari Soot Girni Ltd, Hingoli Road, Washim.