

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

Case No. CGRF / AZ / AUR / U / 595 / 2016 / 26

Registration No. 2016090002

Date of Admission 31.08.2016

Date of Decision 25.10.2016

Dr. Jawed Nakshbandi,
Shahabazar,
Dist. Aurangabad 431 001.

COMPLAINANT

VERSUS.

The Executive Engineer(Admn),
Nodal Officer,
O/O Superintending Engineer,
MSEDCL, Urban Circle,
Aurangabad

RESPONDENT

CORAM

Shri Dr.Bhaskar G. Palwe

Chairman

Shri Uttam M. Urkude,

Member/Secretary

Shri Vilaschandra S.Kabra

Member.

CONSUMER GRIEVANCES REDRESSAL DECISION

The Complainant , Dr. Jawed Nakshbandi has established a Clinic at Shahabazar, Aurangabad. Respondent is authorized Officer of Electricity Distribution Company which is engaged in distribution of electricity. The complainant has a consumer No. 490011522499 of electricity supply from MSEDCL. The brief details of the complainant are as under.

The complainant has submitted that the Hon. MERC vide its Order dated 16.08.2012 directed to MSEDCL to charge separate tariff (LT-X) for hospitals, pathology centers etc. which came in to effect from 01.08.2012. The complainant filed grievance before Internal Grievance Redressal Cell (IGRC) and requested to change his tariff from commercial to public service as per MERC Order. IGRC vide its order dtd. 07.05.2016 directed to concerned office of MSEDCL to change the tariff from LT II (Commercial) to LTX (Public Service) from 01.08.2012 and to adjust the excess amount in the future bills. However M/s. MSEDCL has not complied the order after lapse of two months. Therefore the complainant has prayed as under.

- 1) The complaint may be allowed.
- 2) The respondent may be directed to change the tariff from 01.08.2012 and to adjust the excess amount alongwith 18% interest in the future bills
- 3) The respondent may be directed to pay Rs. 1/- towards cost of filing this complaint.

Say of Executive Engineer(Admn), Nodal Officer, O&M Urban Circle, M.S.E.D.C.L. Aurangabad – Respondent

- 1) As per the IGRC Order the bills of consumer have been revised from August 2012 to July 2016 i.e. for 48 months. The bills were revised with the average 361 units per month for the above period. Total units consumed were 17317. Therefore Transco Charge, Genco Charge, tax on sale and other charges are seen different.
- 2) If the bills are revised based on actual monthly units consumed (manually) the revised bill comes around Rs. 14,613=43.

- 3) TOSE charges have been applied since August 2015. TOSE charges were 8 paisa per unit. However, new rate was 9.04 paisa per unit. Therefore rate difference between the old rate and new rate have been 1.04 paisa per unit, which is shown as "TOSE Solar".
- 4) Since consumer is given a change of category to public service and credit of bill due to revision by the MSEDCL. Therefore the Respondent has requested to quash the complaint.

Observations :

- 1) The applicant is having a hospital and provided the electric supply having consumer No. 490011522499 and was billed as per LT-II commercial tariff.
- 2) As per Hon MERC tariff order dtd 16.08.2012, the applicant is liable to charge as per LT-X (Public Service) tariff.
- 3) The applicant approached to IGRC for redressal of grievance and IGRC given the decision on dtd. 07.05.2016 to change the tariff from LT- II to LT-X as per Hon. MERC tariff order dtd. 16.08.2012.
- 4) The concerned billing incharge has not followed the order of IGRC and not changed the tariff, hence applicant approached to this Forum.
- 5) During the pendency of grievance to this Forum, the tariff has been changed on 13.09.2016.

In view of the submissions made by the Complainant and Respondent, the Hon. Forum is of the opinion to issue the following order.

ORDER

- 1) The complaint is allowed.
- 2) MSEDCL shall change the tariff from LT II (Commercial) to LT X (Public Service) since 01.08.2012 and adjust the excess amount in the future bills.
- 3) The disciplinary action shall be taken against the concerned billing incharge (Sub Divisional Officer) and its staff for not following the order of the IGRC in time.
- 4) The compliance of the order shall be reported within 30 days to the Consumer Grievance Redressal Forum.

Sd/-
Dr.Bhaskar G. Palwe
Chairman

Sd/-
Uttam M. Urkude
Member / Secretary

Sd/-
Vilaschandra S.Kabra
Member