

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

Old Power House Premises, Dr.Ambedkar Road, Aurangabad. Phone No.2336172

No: CGRF /AZ/AUR / 170 / 2009 / 03

Date :-

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

Sub :- Forwarding of grievance in respect of M/s Amar Amit Alloy'sPvt.Ltd.,At Shelgaon,Tq.Badnapur,Dist.Jalna.
(Con. No.510019005672)

Dear Sir

Please find enclosed herewith a copy of the grievance application received by the Forum from M/s Amar Amit Alloy'sPvt.Ltd.,At Shelgaon,Tq.Badnapur,Dist.Jalna.

You are requested to submit your parawise reply at the time of hearing which will be held on 20.01.2009 at 11.30 Hours

Encl: As above.

Member Secretary
CGRF, (AZ) MSEDCL,
Aurangabad.

Copy to
M/s Amar Amit Alloy'sPvt.Ltd.,
At Shelgaon,Tq.Badnapur,
Dist.Jalna

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD

(Case No: CGRF/ AZ /JLN / 170 / 2009 / 04)

Date of Filing: 06.01.2009

Date of Decision: 04.03.2009

M/S Amar Amit Alloys Pvt. Ltd.

At Shelgaon, Tal. Badnapur

Dist. Jalna

(Consumer No. 5100190005672)

Complainants

V/s

**MAHARASHTRA STATE ELECTRICITY DISTRIBUTION
CO. LTD. O&M Circle, Jalna.**

The Distribution Licensee.

Coram:

Shri V.A.Hambire

President

Shri H.A.Kapadia

Member

Shri P.A.Sagane

Member secretary

ORDER

The complainant M/S Amar Amit Pvt. Ltd. Shelgaon, Tq. Badnapur Dist. Jalna has filed his grievance in Annexure "A" before this Forum on 06.01.2009, under Regulation No. 6.10 of the Regulations 2006. The grievance was registered as Case No: CGRF/ AZ /JLN / 170 / 2009/ 04 in the Forum. The copy of the grievance filed by the consumer was forwarded to the Nodal Officer, (Adm.) in the office of the Supdt. Engineer, O&M circle Jalna and hearing in the matter was kept on 20/01/2009.

Case No.170/04
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The grievance of the consumer, as stated by the consumer, is as under:-

01. The consumer has taken 33KV supply for his factory situated at Shelgaon, Tq.Badnapur, Dist.Jalna for manufacturing of Ingots. He submitted application for providing uninterrupted power supply to his factory in the office of the Distribution Licensee (hereinafter referred to as D.L.) . The consumer contended that he has also submitted certificate from General Manager, District Industries Center, Jalna which was mandatory requirement for providing continuous & uninterrupted electricity supply. The consumer also contended that in spite of his continuous follow up uninterrupted power supply was not given to his factory .However in case of some other steel plants situated in same area ,the facility of uninterrupted power supply was given on submission of certificate from General Manager District Industries Center .The consumer, along with his grievance also filed copy of the letter forwarded by Superintending Engineer, O&M Circle, Jalna to Chief Engineer(Commercial) MSEDCL, Prakashgad, Mumbai with recommendation and seeking permission for sanction of uninterrupted power supply to his factory.

02. On 21/01/2009 i.e on the date of first hearing , consumer representative Shri Bharatkumar Dembda was present. Nodal Officer, Shri Sagajkar was present on behalf of Distribution Licensees. Nodal Officer filed his reply on the grievance of the consumer and stated that consumer's application has been forwarded to the Head Office for approval and on receipt of approval uninterrupted power supply will be provided to the consumer.The Nodal Officer further stated that the consumer was involved in theft of energy case. The consumer was reconnected on 19.11.05 as per order passed by the Hon' ble Supreme Court. The consumer on other hand stated that his factory was provided continuous power supply initially and the monthly energy bills issued to him shows express feeder tag. He further stated that he has filed application with the concerned authority under Right of Information Act and demanded the list of other steel plants in Jalna District connected on express feeder along with details about the date of application and actual date of connection etc. He requested the Forum to grant one month time for submission of said information. The Forum directed Nodal Officer to submit the details of names of consumers connected on the express feeder, their date of application and other related documents before next hearing. The consumer was also directed to submit copies of the previous bills showing express feeder tag and his say on payment of arrears amount before next hearing which was kept on 21/01/2009.

03. On 27/01/2009 consumer representative and Nodal Officer were present at the time of hearing .Consumer filed copies of the monthly energy bills for their period September 2006 to December 2006 . Nodal Officer filed list of consumers who were provided express feeder facility but did not file their date of application and date of release of connection. Nodal Officer requested the Forum to grant time extension for filing detail reply in this matter. The next hearing in the matter was therefore kept on 31/01/2009 .
04. On 31/01/2009 consumer representative was present. Nodal Officer filed application and again requested the Forum to grant time extension for filing his reply . The request of the Nodal Officer was granted by the Forum and the next hearing was kept on 07/02/2009.
05. On 07/02/2009 consumer and Nodal Officer were both absent. The Forum therefore kept the next hearing on 10/02/2009.
06. On 10./02/2009 consumer representative was present Nodal Officer did not filed his reply but submitted a fax copy of letter dt.12.02.09 addressed to Supdt. Engineer MSEDCL Jalna by the Chief Engineer Commercial, MSEDCL, Mumbai,. A copy of the said letter was handed over to the consumer for filing his say before 25/02/2009 and the matter was kept for decision.
07. We have gone through the documents filed by the consumer along with his grievance. We have also gone through the reply filed by the Nodal Officer , copy of the fax letter dated 12/02/2009 submitted by the Nodal Officer . On going through the documents & hearing before us, we observed that consumer has filed application in the office of Superintending Engineer ,O & M circle Jalna for providing Express feeder power supply to his factory. He also submitted letter issued by General Manager, District Industries Center, Jalna which is mandatory requirement for getting uninterrupted power supply. On going through the letter dt. 05.11.08 addressed to Chief Engineer Commercial, Mumbai by Superintending Engineer for seeking approval , reveals that the application of shifting of feeder from Non Express to Express feeder was technically feasible.

On questioning about the revenue loss suffered by the D.L. due to delay in sanctioning the express feeder to the consumer on account of tariff difference of express and non express feeder ,the Nodal officer stated that looking to the past history of the consumer who was involved in various litigations , the application of the consumer for uninterrupted power supply was forwarded to their head office for approval.

The Nodal officer did not filed any say inspite of time extension granted by the Forum. However on 15.02.09 , he filed copy of fax letter dt.12.02.09 received from Chief Engineer Commercial , Mumbai addressed to Supdt.Engineer Jalna. On going through the contents of the said fax letter , it is stated that permission of change of feeder from non express to Express feeder will be effected subject to payment of Rs.1,04,70,000/ due from consumer towards theft arrears and other misc. charges. From the documents filed by the consumer , it is revealed that , dispute regarding payment of arrears amount is pending with other authorities. However neither parties has filed any copy of the documents or any order passed by the concern authority.

In view of above observations we are of the opinion that the issue of recovery of arrears against the order passed by the other authority is altogether different issue. For non compliance of the orders passed in the matter related to theft etc., the D.L. can approach concern authority. This Forum has no authority to interfere, change or alter any order passed by the other Competent Authority. The grievance filed by the consumer , in our opinion , is not related to any of the above issues pending before other authority . The consumer has paid cost of line and presently availing power supply from non express feeder. The consumer has filed letter from General Manager , District Industries which is mandatory requirement for grant of express feeder in addition to techno commercial feasibility which already exist. The consumer is therefore, in our opinion, is liable to get the power supply from Express feeder.

Hence the following order.

ORDER

1. The Distribution Licensee is directed to change the supply of the consumer from non express feeder to Express feeder within 30 days from the date of issue of this order.

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

Inform the parties and close the case.

(H.A.Kapadia)
Member

(P.A.Sagane)
Member Secretary

(V.A.Hambire)
Chairman

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महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
औरंगाबाद परिमंडळ, औरंगाबाद.
औरंगाबाद परिमंडळ.

जुने पावर हाऊस परिसर.डॉ.बाबासाहेब आंबेडकर रोड, मिल कॉर्नर, औरंगाबाद. - ४३१ ००१, दुरध्वनी व फॅक्स -०२४० - २३३६१७२.

Case No. CGRF/AZ/AUR/U /170/ 2009/ 04/

Date:-

To,

- 1. The Executive Engineer (Adm.)
O/O Supdt. Engineer, MSEDCL
Jalna Circle, Jalna**
- 2. M/S Amar Amit Steel Ltd.
At Shelgaon, Tal.Badnapur
Jalna**

Sub: Grievance incase No. CGRF/AZ/AUR/U/170/2009/04

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.

Copy copy submitted w.r.to:-
The Chief Engineer(AZ)
MSEDCL,Aurangabad.

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

