

## ग्राहक गा-हाणे निवारण मंच

महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित  
औरंगाबाद परिमंडळ, औरंगाबाद.

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Old Power House Premises, Dr.Ambedkar Road, Aurangabad. Phone: 0240 - 2336172

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No,CGRF/AZ/ R / 221 / 2009 /55

Date :-

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

Sub:- Forwarding of grievance in respect M/S Lokvikas Sugar Mills Ltd.,  
Garaj, Tal.Vaijapur , Dist.Aurangabad.  
(Consumer no. 499519041850)

Dear Sir,

Please find enclosed herewith a copy of the grievance application received by the Forum from Forwarding of grievance in respect of M/S Lokvikas Sugar Mills Ltd., Garaj, Tal.Vaijapur , Dist.Aurangabad.

The consumer has requested for passing an interim order for not to disconnect his supply permanently on account of incorrect bill issued by Distribution Licensee.

You are requested to submit your para wise reply on the grievance at the time of hearing. The hearing in the matter will be held on 16.06.2009 at 13= 45 Hrs.

Encl: As above

Member/Secretary  
CGRF(AZ) MSEDCL  
Aurangabad.

Copy to:-  
M/S Lokvikas Sugar Mills Ltd.,  
Garaj, Tal.Vaijapur ,  
Dist.Aurangabad.

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

**Case No. CGRF/AZ/AUR/U /221/ 2009/55**

Date of Filing: 12.06.2009

Date of Decision: 25.07.2009

M/S Lokvikas Sugar Mill Ltd.  
Garaj, Tal.Vaijapur  
Aurangabad.

Consumer Complainant.

V/s

Maharashtra State Electricity Distribution Co.Ltd.  
Rural Circle, Aurangabad.

Corum:	<b>Shri V.A.Hambire</b>	<b>President</b>
	<b>Shri H.A.Kapadia</b>	<b>Member</b>
	<b>Shri P.A.Sagne</b>	<b>Member/Secretary</b>

Sub: Grievance under the Maharashtra Electricity  
Regulatory Commission, (Consumer Grievance  
Redressal Forum and Ombudsman) Regulations 2006.

The consumer complainant has filed this grievance through its director in Annexure "A" before this Forum on **12.06.09** under Regulation No. 6.10 of the Regulations 2006. The grievance of the consumer was registered in this office at Sr.No. 221/2009/55 and was forwarded to the Nodal Officer, (Adm.) in the office of the Superintending Engineer, O&M Rural Circle, Aurangabad and hearing in the matter was kept on 16/06/2009

The grievance of the consumer, in brief, is as stated below..

1. The consumer has taken 11kv HT supply for his factory situated at above mentioned address .The sanction load is 94 KW with contract demand of 90 KVA. The consumer contended that the bills issued by the D.L. after Jan.2009 includes penalty for low power factor & excess contract demand. The bills also includes electricity duty for which he has submitted exemption letter received from Govt. of Maharashtra. The consumer further contended that on 27.01.09, he submitted an application in the office of Supdt.Engineer, Rural circle, Aurangabad. for enhancement of contract demand to 200KVA. He has also installed capacitors as per advise of Supdt. Engineer, rural circle, for improvement in power factor. As the D.L. did not take cognizance of his application for enhancement of contract demand and did not wave of the penal charges , he once again submitted reminder letter on 9.6.09 for waving off the penal charges and for sanction of additional contract demand. On 28.05.09, consumer has received 15days permanent disconnection notice from the D.L. for non payment of electrical bills. The consumer therefore filed this application in the Forum and requested the Forum to direct the D.L. not to disconnect his electricity supply permanently and to issue him revise bill by waving of penal charges.

2. On 16.06.09, the hearing was fixed on the application of consumer for passing an interim order on the notice issued by the D.L. Consumer representative Shri Shinde was present. Nodal officer Miss. S.B. Chiwande was present on behalf of D.L.. She filed application for grant of time for filing her say. The consumer stated that in spite of his application for sanction of additional load , the same was not sanction and penalty for excess demand and for low power factor was levied in the bills. The consumer further stated that in spite of waving off the penal charges and sanctioning the additional load demand, the D.L. has issued notice for permanent disconnection of supply. He requested the Forum to direct the D.L. not to disconnect his supply and issue revised bill

On going through the documents placed by the consumer ,we observed that the supply of the consumer has been temporarily disconnected on 13.04.09 and notice for permanent disconnection was issued by the D.L. on 28.05.09 for arrears amount of Rs. 2,93,150/ . Since no reply was filed by Nodal officer and as the supply has already been disconnected temporarily , Forum directed D.L. not to disconnect the supply of the permanently till disposal of the grievance filed by the consumer in the Forum. The next date of hearing was kept on 30.06.09.

3. On 30.06.09, consumer Shri Shinde and Nodal officer's authorized representative Shri A.R. Patil were present. Shri Patil filed his reply on the grievance and stated that consumer has not submitted the application for enhancement of load in prescribed format and has not submitted complete documents. He further stated that the penalty for exceeding contract demand and for low power factor was levied as per rules and is correct. As regards to electricity duty, he stated that the amount deducted towards electricity duty can be adjusted only after approval of concerned office of the State Govt. authority. On the complaint about excess recording of contract demand & low power factor recorded by the meter installed at consumer premises, Forum directed the Nodal officer to arrange for testing of meter after collecting necessary testing charges from the consumer and to submit its report before next hearing. The next hearing in the matter was fixed on 14.07.09.
4. On 14.07.09, consumer representative and Nodal officer's representative were present. Nodal officer filed meter testing report and stated that the meter has been tested thoroughly in the presence of consumer and is O.K. He also brought to the notice of the Forum that in spite of its direction for submitting correct application form, consumer has not submitted the same till today. Consumer contended that he has already submitted application for enhancement of load from 95 KVA to 175 KVA and insisted the Forum to direct the D.L. to wave off the penalty levied on account of exceeding contract demand. After hearing both the parties in details, the matter was kept for decision.
5. We have gone through the record placed before us by both the parties. We have also gone through the application for enhancement of contract demand submitted by the consumer to the D.L. and the bills in which the penalties for excess contract demand & low power factor was levied by the D.L. On going through the above documents we observed that 11kv HT supply was released to the consumer in the month of December 2008 with sanction load of 94 Kw and contract demand of 95 KVA. We further observed that after release of new connection, the consumer has recorded contract demand as follows. Dec.08- 241 KVA, Jan. 09- 196 KVA, Feb.09- 235 KVA, March 09 - 92 KVA. This clearly reveals that consumer has exceeded the contract demand from very first month. The power factor recorded was also low due to which penalty was levied in the bills of the consumer. The penalty levied by the D.L. for exceeding contract demand and for low power factor are as per rule and is correct. Since the consumer did not paid the bills, his supply was disconnected temporarily in the month of April 09.

As regards to contention of consumer that D.L. has charged electricity duty in spite of exemption letter submitted by him, it is reveal that D.L. has stopped levying electricity duty after receipt of exemption letter from Electrical Inspection department. Since the issue of refund of amount paid by the consumer towards electrical duty is not in the scope of D.L. the contention of consumer that D.L. has not refunded the amount towards electricity duty is not correct and cannot be accepted.

We further observed that on 23.01.09, consumer has submitted application for enhancement of contract demand to 175 KVA. On going through the application form, we observed that both the A-1 form and load sanction form submitted by the consumer are not properly filled. The consumer in its letter dt. 11.02.09, in this context, asked the D.L. to accord sanction for 200 KVA contract demand. Due to confusion about exact requirement of consumer, D.L. vide his letter dt. 12.2.09 asked the consumer to submit correct application form. The Forum also during the hearing on 30.06.09 directed the consumer to submit correct application form which the consumer did not complied till next hearing. The consumer contention about cancellation of penal charges towards excess recording of contract demand therefore cannot be accepted. As regards to power factor penalty levied in the bills, we observed that consumer failed to maintain the minimum power factor of 0.90 and therefore the penal charges levied by the D.L. are correct.

In view of above observations , we are of the opinion that there is no deficiency in the services rendered to the consumer by the D.L. The penal charges levied in the bills are as per rule and are correct. The grievance filed by the consumer is therefore dismissed.

#### ORDER

1. The grievance filed by the consumer is dismissed.

**The D.L. and 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**  
CaseNo.221/55  
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**ग्राहक गा-हाणे निवारण मंच**  
**महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित**  
**औरंगाबाद परिमंडळ औरंगाबाद.**

जुने पावर हाऊस, पोलीस आयुक्तालयासमोर, डॉ.बाबासाहेब आंबेडकर रोड, औरंगाबाद.-

No. Case No. CGRF/AZ/AUR/U /221/ 2009/ 55

Date:-

To,

1. M/S Lokvikas Sugar Mills Ltd.  
Garaj, Tal.Vaijapur  
Dist.Aurangabad.
2. The Executive Engineer (Adm.)  
O/O Superintending Engineer  
O & M , Rural Circle, M.S.E.D.C.L.  
Aurangabad.

**Subject :- Grievance Case No.CGRF/AZ/AUR/U/221/2009/55**

Dear Sir,

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.

**Encl: As above**

Copy to:  
The Chief Engineer(AZ)  
MSEDCL, Aurangabad.

Member/Secretary,  
CGRF(AZ) MSEDCL,  
Aurangabad.

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)**

