

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

Shri M.G.Deodhar,
Member

(M)9422805325

NO. CGRF/NZ/R/

Date :

Certified copy of order dtd 30th April,2009 in Case No. 92/2009 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. Awachat Industries Ltd.,Plot No.D/2/1, M.I.D.C.,Wardha. Dist-Wardha-442006 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.Wardha, --
4. The E.E.,C.C.O&M Dn., MSEDCL, Arvi.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/ **92** of 2009

Applicant : M/S. Awachat Industries Ltd., Plot No.D/2/1, M.I.D.C., Wardha.
Dist-Wardha-442006 (M.S.)

-- VS --

Non-applicant : 1.Executive Engineer/Nodal Officer, I.G.R.C,
Circle Office,M.S.E.D.C.L., Wardha.
2.Executive Engineer,C.C.O&M Dn., M.S.E.D.C.L., Wardha.

Present : 1.Shri V.R.Khobragade,Chairman
2.Shri D.K.Choudhari, Member-Secy.
3.Shri M.G.Deodhar,Member

Appearance. : 1. Shri Shantaram Awchat,
2. Shri Madan Sable,
Representative of Applicant present.

1. Shri A.P.Fadanvis,E.E.,Wardha
2. Shri V.M.Bhattad,Dy.EE,Wardha
3. Shri A.G.Dhomane,A.A.
For Non-Applicants.

ORDER

(Passed this 30th day of April,2009)
(Per Shri V.R. Khobragade, CHAIRMAN)

1. Being aggrieved with the order of I.G.R.C., Wardha passed in case, the Applicant filed an Application in form schedule 'A' as per MERC (CGRF&EO) Regulations, 2006 to this Forum on 6th March,2009 requesting to cancel bill of Rs. 1.47 lakhs and charge only the units consumed by the Applicant.
2. After receipt of his 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 9/4/2009. Forum thus, offered a fair,

reasonable and adequate opportunity to both the parties for submission of their say in the matter.

3. According to the Applicant brief history in the matter is that the Applicant is a small scale industry and has taken the temporary electric connection of 30 HP at the site and then regular connection of 30 HP taken on 28/7/2001 which was continued till H.T. connection. The installation to the electric work for supply to 400 KVA C.D. was done by Applicant through private agency under supervision of M.S.E.D.C.L. The distribution transformer owned by the Applicant was tested by testing engineers and charged on 1/11/2007. On the second day of charging i.e. 3/11/2007 the transformer has burned out which was immediately intimated telephonically to the concerned J.E. and in writing on 5/11/2007. Company took out burned transformer with prior permission of MSEDCL and sent to manufacturer and got it repaired. Transformer was brought back to factory, reinstalled it, got tested from MSEDCL and got charged on 21/12/2007. During period from 3/11/2007 to 21/12/2007 MSEDCL raised two bills for reading taken on 20/11/2007 and 21/12/2007 for the month of Nov, and Dec,2007. The bills are for 485 units in one day and 20 units in 1 or 2 hours of running. The case in brief is that Applicant who is H.T. industrial consumer having consumer No. 510019006000 has paid Rs. 1,46,800/- under protest for energy bill during the period 1/11/2007 to 31/12/2007. The main contention of the Applicant is that the Applicant has consumed 485 Units of electricity in one day in the month of November,2007 and 20 units in one or two hours of running industries in the month of December,2007. However, the non-applicants has issued the bill containing fixed demand charges and penal charges for power factor which is sum of Rs. 1,46,800/-. Meantime Applicant requested to the DL. to avail L.T. supply to his industries and non-Applicants has permitted to avail L.T. supply to his industries. The department has taken reading on 30/11/2007 for the month of Nov,2007 and bill amounting to Rs. 77,100/- have been charged to the Applicant for the consumption

of 485 units. The Applicant has discussed the facts with J.E., A.E., DY.E.E., E.E., and S.E. and requested to consider the fact and cancel the above bill. In the meantime next reading has taken by the D.L. on 22/12/2007 and shown 20 units for only one day consumption of no load position of the transformer is considered and energy bill for December, 2007 of Rs. 69,700/- has come to Applicant. Lastly, the Applicant prayed that demand charges and the power factor penal charges has to be waived off. Applicant also prayed that he cannot pay as the burning of transformer has happened due to the negligence and carelessness adopted by the installation department and testing inspection department.

4. On the date fixed for hearing both the parties were present and they were heard carefully. The Applicant reiterated the points as mentioned and discussed in the application and in brief history in para 3 above. Shri A.P.Fadanvis, EE, Shri V.M.Bhattad, Dy.E.E. were present on behalf of the non-Applicant and they reiterated the same points as mentioned in their parawise comments submitted vide it's letter No. 1597 date. 20 Mar,2009. The non-applicants contended that the supply was continue to the applicants installation from D.L. side. Non-applicants also contended that transformer was tested on 15/6/2006 and charged on 1/11/2007 after a period of one and half year. The demand note was issued to the Applicant on 14/3/2006 whereas Applicant has paid an amount of Rs. 4,06,223/- as against the D.N. on 13/3/2007 vide MR No. 1661098 which shows a delay of over a year on the part of Applicant. Applicant has paid amount of D.N. on 13/3/2007 and work was completed by Applicant on 20/7/2007 i.e. on which the permission has been granted by Electrical Inspector. It means a period of 4 month consumed to complete the work from the date of payment. The agreement was made on 7/8/2007 further after inspection and compliance of queries whichever raised, connection was released on 1/11/2007. Non-applicants further contended that delay in releasing the supply is due to slow motivation in completion of work by Applicant itself. Non-Applicant

observed that Applicant is solely responsible for maintaining transformer installed by him by private agency.

5. On going through the papers, It would be seen that proper maintenance of transformer installed through private agency is responsibility/duty of the Applicant for which non-applicants can not be held responsible. The electric supply was continuously available to the installation of the Applicant and hence the bill charged by D.L. is correct in view of the commercial circular No. 54. The fixed charges levied against the Applicant are in accordance with the circular. The charges levied against unit consumed are also correct. Penalty charges against power factor are also in accordance with the instructions contained in the tariff order.
6. For the reasons discussed above, the request of Applicant to waive off penalty charges and fixed charges can not be considered and therefore rejected.
7. With the above observations, the Forum thus unanimously pass the following order.

-: ORDER :-

1. The application is rejected and order passed by IGRC, Wardha is confirmed.
2. No order to costs.
3. Parties be informed accordingly.

SD/-
(V.R.KHOBRADE)
CHAIRMAN

SD/-
(M.G.DEODHAR)
MEMBER

SD/-
(D.K.CHOUDHARI)
MEMBER/SECY

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

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