

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 13/2015

M/s. Tirupati Nonwoven Pvt.Ltd.
Mouza Nandgaon
Tq.Hinganghat
District - Wardha.

Complainant

,,VS..

1. Superintending Engineer,
MSEDCL,O&M Circle,
Wardha.
2. Executive Engineer/Nodal Officer,
I. G. R. C., Circle Office,
MSEDCL,Wardha.

Respondents

Applicant represented by	1) Shri M.V.Goyanka, Director
Respondents represented by	1) Shri S.S.Tayade, Executive Engineer(Adm.) Wardha 2) Shri M.S.Vaidya, Executive Engineer, Hinganghat 3) Shri D.T.Uikey, Manager(F&A), Wardha Circle

CORAM:

Shri Vishnu S. Bute, Chairman.
Adv. Gauri D. Chandrayan, Member
Ms. S. B. Chiwande, Member-Secretary.

JUDGEMENT

(Delivered on this 24th day of March, 2015)

2. M/s. Tirupati Nonwovan Pvt. Ltd. Mouza Nandgaon, Tq.Hinganghat presented this application through it's Director, Shri Madhusudan V.Goyanka. For the sake of convenience the parties are being referred to as, the applicant and the respondent. The respondent applied express feeder tariff to the applicant for the period from 26-07-2013 to 02-01-2014. The applicant requested to set aside this tariff.

The applicant did not approach the IGRC Wardha. However the copies of the application submitted to the Assistant Engineer dated 28-08-2013 and the application

submitted to the Superintending Engineer, Wardha on 09-01-2014 are on record. So the case was registered. The applicant approached this Forum under the provisions contained in Regulation 6.4 of the MERC (CGRF & EO) Regulations 2006 on 06-02-2015.

3. The respondent submitted reply under no.SE/O&M/Wardha/A/c./1102 dated 14-03-2015. The case was fixed for personal hearing on 23-03-2015. Shri Madhusudan V. Goyanka, the Director, was present. Shri S.S.Tayade, Executive Engineer (Adm.), Wardha Circle, Shri D.T.Uikey, Manager(F&A), Wardha Circle and Shri M.S.Vaidya, Executive Engineer, Hinganghat Division represented the respondent. Both the parties were heard.

4. Shri Goyanka, argued that the applicant took supply from the express feeder. A survey was done. The line was laid as per the survey. The line crosses the river. The applicant received HT supply from Wani 33/11 KV substation as express feeder. The feeder was submerged in the flood. The poles were uprooted. The applicant requested for supply from the alternate side. So the respondent gave supply from MIDC feeder. The MIDC feeder is not HT express feeder. The applicant got supply as discussed above with effect from 26-07-2013 to 02-01-2014. Since the applicant was not getting supply from HT express feeder normal HT tariff @ Rs.6.33 per unit may be applied for the period from 26-07-2013 to 02-01-2014. The applicant consumed 301476 units of Electricity. During this period the difference of tariff is @ Rs.0.68 per unit plus the charges leviable thereon. The applicant requested that the respondent may be directed to refund the difference amount.

5. In reply, the officers present could not give any satisfactory and convincing reply. They simply referred to the reply dated 14-03-2015. It was further stated that the applicant was given supply by making an alternate arrangement from 26-07-2013 to 02-01-2014. The respondent admitted that the Dy. Executive Engineer had submitted the office note and recommended to apply the normal tariff as requested by the applicant. However the 11 KV express line of the applicant was in guarantee period. The applicant was directed to restore the line immediately. However the applicant took more time. With a view to restore the supply to avoid his losses he was given the supply from alternate source. Since the supply was given as per the request of applicant, his request for normal tariff is not acceptable. The application may be dismissed.

6. We have perused the record. We have heard the arguments advanced by both the parties. The applicant was getting the supply from express feeder. Due to flood, the supply line was disrupted. So the supply from the alternate source was given as per the request of applicant only. At the same time it is also true that the supply was given from the non express feeder. The concerned officer of the respondent also recommended to apply normal tariff to the applicant.

However we have not come across any ruling from the higher authorities or any precedence in this regard. So in our opinion the Superintending Engineer, O&M Circle, MSEDCL should verify the record as well as the judgments given by various authorities in such cases. We think it proper to remand the case to the IGRC, Wardha for detail enquiry and decision. The IGRC, Wardha should give an opportunity to the applicant

once again and pass the suitable order.

So we pass the following order,

ORDER

- i) Application No.13 of 2015 is partly allowed. The case is remanded back to the IGRC Wardha.
- ii) No order as to cost.

Sd/- (Adv.Gauri D.Chandrayan) **sd/-** (Ms.S.B.Chiwande) **sd/-** (Vishnu S. Bute)
MEMBER **MEMBER SECRETARY** **CHAIRMAN**
CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR
(Nagpur Dtd.24th day of March, 2015)

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.
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cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 24th March, 2015 in Case No.13 / 2015 is enclosed herewith.

Member-Secy/ Exe.Engineer,
C.G.R.F.(NZ)MSEDCL
N A G P U R

To,
M/s. Tirupati Nonwoven Pvt.Ltd., Mouza Nandgaon, Tq. Hinganghat
Dist.Wardha

Copy s.w.r.to :-

1. The Chief Engineer(NZ), MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.

Copy f.w.cs.to:

1. The Superintending Engineer, O&M Circle, Wardha.
for information and necessary action.
2. The Executive Engineer/Nodal Officer., O&M Circle Office, MSEDCL.Wardha
for information and necessary action.

Address of the Electricity Ombudsman is given as below.

Office of - The Electricity Ombudsman,
12, Srikrupa, Vijay Nagar,
Chhaoni, Nagpur-440 013
0712-2596670

