

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

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,  
NAGPUR – 440 013

Shri T.M.Mantri  
Chairman  
(Mb)9673215771

**(O) 0712- 2022198**

Shri M.G.Deodhar,  
Member  
(M)9422805325

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NO. CGRF/NZ/R/

Date :

**Certified copy of order dtd 30th November,2011 in Case No. 343/2011 is enclosed herewith.**

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

To,

Shri Vijay Vishwanathji Goyanka, Shastri Ward, Nadgaon Road, Hinganghat, Dist. Wardha.

Copy S.W.Rs.to :-

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

Copy F.W.Cs.to:

1. The Executive Engineer/Nodal Officer., O&M Circle Office, MSEDCL.Wardha, --
2. The Executive Engineer,C.C.O&M Dn., MSEDCL, Hinganghat  
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  
Ph.No.0712-2022198.

**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)**

**COMPLAINT NO. 343/2011**

Shri Vijay Vishwanathji Goyanka,  
Shastri Ward, Nandgaon, Road,  
Hinganghat,  
Dist. Wardha.

**.. Complainant**

,,VS.,

1. Executive Engineer,  
MSEDCL, O & M Division,  
Hinganghat.

2. Executive Engineer/Nodal Officer,  
I. G. R. C., Circle Office,  
MSEDCL, Wardha.

**.. Respondents.**

Applicant Represented by Shri Madhusudan V. Goyanka.

Respondents represented by Shri G.C.Chavan, Asstt.Engineer, Hinganghat.

**CORAM:**

Shri T. M. Mantri, Chairman.

Shri M. G. Deodhar, Member.

Ms. S. B. Chiwande, Member-Secretary.

**ORDER**  
**(Per Chairman Dtd.: 30<sup>th</sup> November, 2011)**

The complainant has filed the present Complaint under the provisions of MERC(CGRF&EO) Regulations,2006 (hereinafter called the 'Regulations') on 25.08.2011 in form 'A' in respect of his grievance for refund of the amount of Rs. 24,522/-. It has been debited to his bill for August, 2010. The complainant's case in brief is that he is regular customer of the Non-Applicant Company and an amount of Rs. 24522/- has been debited in bill for Aug. 2010. When he enquired with the Urban S/Dn. Office could not given satisfactory reply. In spite sending letter dated

15.09.2010 and reminder on 09-10-2010, no reply has been given to him. Then he has approached to Internal Grievance Redressal Forum, Wardha but to no effect hence he is compelled to approach this Forum for seeking relief prayed for.

2. Notice as per rules was served to the Non-Applicant Distribution Licensee for filing parawise reply and documents and accordingly on 12/09/2011 the reply was filed on behalf of Non-Applicant Distribution Licensee. Wherein it has been stated that as there is increase in reading M.D.40 KVA in Sept.,2009, the bill was accordingly issued against it. Consumer has made grievance on dtd. 08-12-2009 accordingly the bill was corrected and in the month of Dec.2009 Rs. 24522/- were reduced. However subsequently Audit Department has raised objection and as per directions amount of Rs. 24522/- has been added in the bill of Aug.,2010. The said addition of the said amount is as per directives of the Inspection Wing. Though it is mentioned copy of the said letter is attached with the reply, but it was not so attached.

3. Heard the Learned Representative for the complainant and Mr. G.V.Chavan Asstt.Engr. Urban S/Dn. Hinganghat on behalf of Non-Applicant Distribution Licensee.

4- From the record and submissions it is clear that the sanctioned load of the consumer is 3 H.P. During course of submission it has been practically admitted by the representative of Non Applicant Company that with such sanction load there could not be supply of energy of 40 KVA and the bill was wrongly issued which was later on corrected. This has been so also mentioned in the parawise comments. From the copies and statements of electric bills filed by the consumer on record it is clear that except relevant period the M.D. was well within the sanctioned load and only in that period it extended as 40 KVA which is not possible. So there is practically mistake in accord with the Non Applicant company. The only point of defense raised in parawise comments is that as per directives of the Audit Department the amount of Rs. 24522/- added in the month of August,2010. During course of argument the Learned Representative of the Non-Applicant Co. can not given any satisfactory reply. As it is worth to note that even copy of the alleged letter dated. 16-06-2010 alleged to have been issued by the said Inspection Wing is not enclosed with the parawise comments even subsequently it has not been produced on record. During course of argument the query was made in that respect. Non applicant company's representative was unable to give any reply. During course of argument it has been practically admitted by the

Ld. Representative of Non-Applicant Co. that the earlier correction made in the bill was correct whereby it was reduced. Nearly on the so of Inspection Wing the said amount has been added in the subsequent bill on Aug.,2010. Though the consumer has made grievance orally as well as in writing by letter dtd. 15.09.2010 by reminder on dtd. 09.10.2010, none of them has been replied. It also supposed the attention of the consumer that there was not justifiable reason to support such action hence the same were not replied though the consumer approached to I. G. R. Cell but none has been achieve and no order has been passed. From the entire circumstances and the conditions it is clear that the action of addition of amount, subsequently in Aug.,2010 bill is without any basis, proof hence there is substance in the grievance of the consumer. The consumer is entitled for refund of this amount.

On behalf of consumer submission has been also made that the amount to be refunded with interest. The Ld. Representative of the Non-Applicant Company has submitted that no interest to be awarded and amount will be adjusted in the forth coming bills. There is no justification for such submission of adjustment in forth coming bills. The consumer was required to pay the amount for avoidance of the disconnection. He is entitled for appropriate relief in the following terms hence unanimous order is passed as under :-

### **ORDER**

1. Complaint Case No. 343/2011 is hereby allowed.
2. Non-Applicant Distribution Licensee is directed to refund Rs. 24522/- to the consumer within period of one month else it will be liable to pay interest @ 6% from the date of this order till payment.
3. Compliance Report be submitted to this Forum within stipulated time.
5. In the circumstances, parties to bear their own costs.

Sd/-

Sd/-

Sd/-

**MEMBER****MEMBER SECRETARY****CHAIRMAN****CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)****(Order per Chairman dated 30<sup>th</sup> November, 2011)**

