

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/003/2011

Applicant : Shri. Asaram N. Devsingani,
Near Hotel Plaza,
Sadar,
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Civil Lines Division,
Nagpur Urban Circle,
Nagpur.

Quorum Present : 1) Shri. Shivajirao S. Patil
Chairman,

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER (Passed on 08.03.2011)

The present grievance application, is filed by Shri. Asaram Devsingani, resident of Sadar, near hotel Plaza, Nagpur on dated 11.01.2011 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

1. The applicant, Shri Asaram N. Devsingani has requested to the non-applicant for correction of sanctioned load and revision of bill accordingly vide letter dated 03.05.2010. But the non-applicant did not take any action. The applicant being aggrieved by the no action of non-applicant filed his grievance in the Forum on dated 11.01.2011 and requested to the Forum that

1.To correct the bill and refund the fixed charges from July 2008 to May 2010.

2. The applicant's case in brief is that the applicant with consumer no. 410010521592/2 has sanctioned load of 3 kW. However on the electricity bill sanctioned load was shown as 30 kW since 2006. Also the connected load is shown as 4 kW in electricity bill. Therefore his electricity bill should be corrected from July 2008 to May 2010 as per connected load as 4kW and sanctioned load as 3kW. Therefore the applicant prayed in grievance application that his electricity bill should be corrected and refund should be given to him from July 2008 to May 2010.

3. The non-applicant submitted his say on dated 19.01.2011 in the Forum and resisted the claim of the applicant. It is submitted that for the first time the consumer submitted his application on 03.05.2010. Immediately on dated 05.05.2010 direction were issued to Jr. Engineer to inspect the connection. As per the inspection report dated

06.05.2010, connected load and sanctioned load are corrected as 4 kW in the bill of June 2010.

4. The non-applicant also submitted that as per CPL, the applicant is receiving electricity supply since 18.10.1982. Since beginning the entry of sanctioned load is 30 kW. Also a 3 phase meter is installed at applicant's premises. Therefore the applicant might have applied for sanctioned load for more than 7.5 kW as per the rules. It appears that prior to date of application on dated 03.05.2010 there was sanctioned load of 30 kW. The non-applicant has submitted as an immediate action was taken after the receipt of complaint and made necessary correction in the bill of June 2010. Therefore matter should be dismissed.
5. The matter was heard in the Forum on dated 04.02.2011. Both the parties were present. On behalf of the non-applicant, Shri. S.R. Gandhewar, Executive Engineer, Civil Lines Division was present. Shri. Vasant Devgade, consumer representative has pleaded the applicant's case. Both the parties reiterated the points as mentioned in their submissions to the Forum.
6. On carefully perusal of the record, CPL of the applicant reveals that Connected Load (CL) has been shown as 4 kW from Dec-97 to June 2010. The Sanctioned Load (SL) has been shown as 30kW from June 08 – May 2010. No application was submitted by the applicant for change of

load from date of connection. Therefore whatever changes has been occurred in the CPL was from non-applicant's part.

7. Also no document is submitted by the non-applicant that the applicant has requested for SL of 30 kW. Also the non-applicant is also confirmed that on inspection, CL is found as 4 kW. The CPL also shows that a particular consumption trend is followed by the applicant and there is no drastic rise since date of connection. The non-applicant also made necessary correction in the billing data after inspection which itself reveals that the non-applicant is also satisfied with applicant's consumption trend as per connected load. Therefore in Forum's opinion no justified statement is available with the non-applicant for considering SL as 30kW. Hence non-applicant's statement that the applicant might have applied for sanctioned load for more than 7.5 kW and therefore SL as 30kW as per the rules cannot be accepted at this stage.

8. It is true that the applicant has filed grievance to non-applicant for the first time admittedly on 03.05.2010. But the non-applicant is not able to justify his say that the applicant might have applied for SL of 30kW. Therefore, the applicant is liable for correction in the bill for the period Jul-2008 to May-2010, with SL as 4kW as

per pre-recorded and admitted SL of 4kW by the non-applicant in the bill of Jun-2010.

9. Therefore in the opinion of the Forum, the fixed charges should be revised with SL as 4 kW for the period July 2008 to May 2010. Therefore Forum proceed to pass the following order.

ORDER

The grievance application is allowed.

1. The non-applicant is hereby directed to revise the electricity bill of the applicant for fixed charges with SL as 4kW and for the period July 2008 to May 2010.
2. The fixed charges should be as per MERC tariff in force for above period.
3. The non-applicant is hereby directed to comply this order on or before 11.04.2011.

Sd/-	Sd/-	Sd/-
(Smt.K.K.Gharat)	(Adv. Gauri Chandrayan)	(ShriShivajirao S.Patil)
MEMBER	MEMBER	CHAIRMAN
SECRETARY		