

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

Case No. CGRF(NUZ)/173/2006

- Applicant : M/s. P.G. Oil Mills,
At Neharu Putla, Itwari,
Dist. Nagpur.
- Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
O&M Division-I, NUZ,
Nagpur.
- Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.
- 2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.
- 3) Shri S.J. Bhargawa
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 02.01.2007)

The present grievance application has been filed on
12.12.2006 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.

The main grievance of the applicant is in respect of non-reduction of applicant's sanctioned load from 96 KVA at 11 KV to 106.5 HP at LT supply. The applicant has prayed for grant of following reliefs.

- 1) To accord sanction to 106.5 HP load with LT supply effective from 24.05.2006 i.e. 30 days from the date of his application dated 24.04.2006.
- 2) To refund the excess energy bill amount paid by the applicant considering 106.5 HP as sanctioned load effective from 24.05.2006 alongwith interest as applicable.
- 3) To penalize the non-applicant for not performing its duty and provide compensation to the applicant as per provisions of the Electricity Act, 2003 & MERC (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005 hereinafter referred to as the SOP Regulations.
- 4) To raise demand note for L.T. supply to the applicant as per Schedule of Charges decided by MERC on 08.09.2006.

In this case, the applicant had sought reduction of his contract demand from 96 KVA at 11KV to 106.5 HP at LT supply by filing application dated 24.04.2006 in the prescribed form alongwith its accompaniments. This was followed up by him by sending a reminder addressed to the Superintending Engineer, NRC, MSEDCL, Nagpur on 01.08.2006. His application for reduction of sanction load is sent by the

Superintending Engineer to the concerned Executive Engineer under his letter dated 14.08.2006 for necessary action. No decision has been taken on the applicant's request for reduction of his sanctioned load and hence, he filed the present grievance application.

The requirement of the applicant giving intimation about his grievance to the Internal Grievance Redressal Cell in terms of Regulation 6.4 of the said Regulations stands dispensed with since he had already moved the Superintending Engineer earlier as stated above .

The matter was heard by us on 30.12.2006 and 02.01.2007.

The applicant' case was presented before this Forum by his nominated representative one Shri R.B. Goenka while the case of the non-applicant Company was presented before us by Mrs. Varnekar, Assistant Engineer, O&M Dn., I MSEDCL, Nagpur.

Detailed written & oral submissions have been submitted by the applicant's representative during the course of hearing. The non-applicant had also filed its parawise report dated 29.12.2006.

During the course of hearing on 02.01.2007 both the parties decided to solve the applicant's grievance as detailed below. The proposal agreed-to by both the parties as stated by them in their oral submissions on 02.01.2007 is as under.

- 1) The applicant's application dated 24.04.2006 was received by the Superintending Engineer, NRC, MSEDCL, Nagpur on 20.05.2006. Hence, as per Regulations 9.3 of the SOP Regulations, the non-applicant is duty bound to reduce the load before the expiry of the second billing cycle after receipt of such request failing which compensation under SOP

Regulations becomes payable. The non-applicant, therefore, agreed to give effect to reduction of the applicant's load with effect from 01.07.2006 alongwith billing the applicant accordingly and requested not to order payment of such compensation. The applicant also agreed not to insist upon payment of compensation under SOP Regulations.

- 2) The non-applicant agreed to treat the applicant's request as a request for installation of a dedicated facility in terms of Regulation 3.3.3 of the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005. The applicant also agreed to this proposal and he has also shown willingness to make payment of the demand note amount meant for sanctioning of such a dedicated distribution facility. The provision laid down in Regulation 3.3.5 of the Supply Code Regulations shall apply in this respect.
- 3) The non-applicant has stated that the demand note for installation of a new 100 KVA transformer at LT supply is already issued on 19.12.2006. In that, the non-applicant proposed that a new transformer would be installed by the applicant at his cost under the non-applicant's supervision for which the prescribed supervision charges shall be recoverable from the applicant. The applicant in reply stated that he has not yet received this demand note. It was agreed by the non-applicant to handover a fresh copy of the demand note to the applicant within two days. The applicant on his part agreed to make payment of this demand note amount.

- 4) The applicant requested for change of metering arrangement from HT to LT with immediate effect against the applicant's existing 315 KVA HT transformer. The non-applicant agreed to change the metering arrangement from HT to LT within seven days of payment of the demand note amount by the applicant. The applicant, thereupon, agreed to this proposal.
- 5) The applicant also agreed to install under non-applicant's supervision a new 100 KVA transformer as per the non-applicant's demand note within a period of two months from the date of change of metering arrangement from HT to LT.
- 6) The non-applicant agreed not to saddle the transformer losses in respect of the applicant's existing HT transformer upon the applicant w.e.f. 01.07.2006 till the date of change of the metering arrangement from HT to LT as per (4) above.
- 7) The applicant agreed not to insist upon payment of compensation as per SOP Regulations. He also agreed not to press his claim for any other compensation. He, however, requested that the non-applicant may be cautioned to strictly adhere to the time-limits prescribed for reduction of the sanctioned load hereafter as laid down in the SOP Regulations. This Forum, accordingly, directs the non-applicant to ensure hereafter that all the time-limits prescribed under the SOP Regulations are adhered to strictly.

The present grievance application, thus, stands disposed off in terms of the afore-mentioned settlement agreed to by both the parties.

Both the parties should take action accordingly and report compliance of this order to this Forum on or before 31.03.2007.

Sd/- (S.J. Bhargawa) Member-Secretary	Sd/- (Smt. Gauri Chandrayan) MEMBER	Sd/- (S.D. Jahagirdar) CHAIRMAN
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**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**

**Member-Secretary
Consumer Grievance Redressal Forum,
Maharashtra State Electricity Distribution Co.Ltd.,
Nagpur Urban Zone, NAGPUR**