

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

Case No. CGRF(NUZ)/12/2012

Applicant : M/s. Gupta Enterprises,
Flat No. 72, Chikhali Layout,
Nagpur.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee) MSEDCL,
NUC, 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 22.03.2012.

The applicant filed present grievance application before this Forum on 1.2.2012 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

1. The applicant's case in brief is that the applicant is industrial consumer and running industrial unit. Consumer applied for industrial connection with a Connected Load of 123 HP. Consumer after complying with all the formalities of M.S.E.D.C.L., a C.T. meter connection was released on

19.3.2010. since at the time of release of connection, C.Ts. of 200/5 A ratio were not available and connection to the applicant was released by using 100/5 Amp. C.T. On Dt. 9.4.2011, there was no power supply to the applicants unit and there were number of interruptions. They filed a complaint to M.S.E.D.C.L. On 12.4.2011, M.S.E.D.C.L. authorities replaced old 100/5 CTs by new 200/5A C.Ts. The Jr. Engineer has given corresponding remarks on the complaint.

2. The applicant received the bill of Rs. 1,46,500.65 for the period March 2010 to June 2011 as per the letter dated 5.11.2011. The applicant submitted representation for revision of bill but no reply is received. Therefore, the applicant filed this application to revise the assessment of bill of Rs. 1,46,500.65 for the period March 2010 to June 2011, i.e. from the date of connection.

3. Non applicant denied the case of the applicant by filing the reply on Dt. 29.2.2012. It is submitted that M/s. SPANCO Ltd., the Distribution Franchisee of M.S.E.D.C.L. inspected the spot of complainant on 23.7.2011 and it is observed that meter ratio is 100/5 A and C.T. ratio is 200/5 A. Hence M.F. should be 2. However, the applicant is billed as per M.F. 1. It is further observed that it is under billing case for 20633 under billed units from March 2010 to June 2011. This was pointed out by Distribution Franchisee to Nonapplicant as per letter dated 11.8.2011. The non applicant had produced the said letter of SPANCO Dt. 11.8.2011 vide "Ann. 2" with reply.

Non applicant made joint inspection with authorities of Distribution Franchisee SPANCO on 30.8.2011 in presence of representative of the applicant Shri Bramha Harinkhede and the said report is produced on record as per Annexure – II. During the inspection, it is found that the meter ratio is 100/5 and C.T. ratio is 200/5 and hence M.F. should be 2. However, complainant is billed as per M.F. 1 instead of M.F. 2. According to the representative of applicant named Shri Bramha Harinkhede, the meter was not replaced since last one year.

4. Non applicant calculated the difference of M.F. from 1 to 2 for 20633 units from March 2010 to June 2011 amounting to Rs. 146500.65 and intimated to Distribution Franchisee as per letter dated 15.10.2011 and debited to the applicants energy bill in the month of October 2011. The said calculation sheet and letter is jointly at Annexure IV. Non applicant informed the above position to the applicant as per letter dated 5.11.2011 and requested to pay difference of M.F.

4. Applicant complained to Jr. Engineer, Wardhamannagar Nagpur on 9.4.2011 that there is no current in one phase and requested for repairing of the meter. The applicant also referred the remarks of Jr. Engineer on this complaint about replacement of C.T. on Dt. 12.4.2011. Competent Authority for replacement of C.T. is the Executive Engineer of concerned Division. The applicant neither approached Competent Authority i.e. Executive Engineer for replacement of C.T. nor the remark made by the

Jr. Engineer is confirmed by the concerned Division. Therefore, the said remark can not be accepted as made without proper procedure and approval of Competent Authority. Furthermore, the said remark still does not mean that the C.T. was replaced from 100/5 to 200/5. It is denied that since the time of release of connection, C.Ts. 200/5 A ratio were not available, hence connection of the applicant was released by using 100/5 C.Ts. Allegations of the applicant are without any basis and without any evidence. On the contrary, since the date of connection on Dt. 19.3.2010, the applicant was released with connection with C.Ts. of 200/5 A, the applicant made last payment of Rs. 11210/- on 18.10.2011 in the month of September 2011 and thereafter failed to pay current bills along with difference of M.F. Hence huge amount of Rs. 1,86,172.79 is outstanding towards the arrears up to Jan. 2012. The applicant is enjoying the electricity with out payment of single pai. The application be dismissed.

5. Forum heard the arguments of both the sides and perused the entire record. In support of contention of the non applicant, important documents Annexure 'A' to Annexure VI are produced by the non applicant. Annexure '1' is the inspection report Dt. 23.7.2011 by M/s. SPANCO ltd. regarding spot inspection of the unit of the applicant. In column No. 2 of this report, it is specifically mentioned that C.T. connected is 200/5 A and MTR connected 100/5 A and M.F. is 2. So far as condition of the meter is concerned, in Column No. 4, it is specifically mentioned that meter is working properly. There is

specific endorsement on this inspection report that “M.F.=2”, under billing case, units under billed – 20633 units for the period March 2010 to June 2011”.

6. Applicant also produced another important document of report of joint inspection made by M.S.E.D.C.L., SPANCO in presence of representative of the applicant Shri Bramha Hirankhede. This is at Annexure ‘3’ Dt. 30.8.2011. This joint inspection report also supports the case of the non applicant. It is noteworthy that at the bottom of this report ‘Annexure 3’, representative of the applicant named Shri Bramha Hirankhede made a clear cut endorsement, that too, in marathi under his signature to the effect that --- “ ग्राहकाचे प्रतिनिधी श्री. ब्रम्हा हरीनखेडे यांच्या अनुसार गेल्या १ वर्षात मीटर बदलविण्यात आले नाही ”

This joint inspection report also fully supports the case of Non applicant and falsifies the applicants case.

7. So far as the complaint of the applicant to Jr. Engineer Dt. 9.4.2011 is concerned, it is the complaint to Jr. Engineer, Wardhamannagar made by the complainant alleging that there is no current in one phase and requested to replace the meter. Except this prayer, there is nothing in this complaint Dt. 9.4.2011. On behalf of the applicant it is argued that there is remark of Jr. Engineer below this complaint Dt. 12.4.2011. However, Competent Authority for replacement of C.T. is Executive Engineer of concerned Division, record shows that the applicant neither approached competent authority i.e.

Executive Engineer for replacement of C.T. nor remarks made by J.E. is confirmed by the concerned Division. Hence the said remarks can not be accepted as made without proper procedure and approval of competent authority. This remark still does not mean that C.T. was replaced from 100/5 A to 200/5 A. Therefore, we find no force in the Grievance application of the applicant. C.P.L. on record vide Annexure VII also fully supports case of the non applicant so far as M.F. is concerned.

8. For these reasons, we find no force and no merits in Grievance application of the applicant and therefore there is no necessity to revise the assessment bill of Rs. 1,46,500.65. Hence following order :-

ORDER

1. The Grievance application is dismissed.

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