

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

Case No. CGRF(NUZ)/319/2014

Applicant : Shri Basant H. Hada,
Plot No. 44, Sadashiv Nagar,
Nagpur.

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

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

2) Adv. Subhash Jichkar
Member.

3) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 5.2.2015.

1. The applicant filed present grievance application before this Forum on 6.12.2014 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. Applicant's case in brief is that he filed an application to Commercial Section of SNDL for change of tariff from Commercial to Residential on Dt. 30.6.2012. But no action is taken by commercial

section of S.N.D.L. and his bills have not yet been revised. Therefore he approached to I.G.R.C. for change of tariff from commercial to residential and for revision of bills since June 2012 till his tariff is changed. Learned I.G.R.C. passed order dated 17.11.2014 in Case No. 912/14. Being aggrieved by the order passed by I.G.R.C. applicant approached to this Forum.

3. Non applicant denied applicant's case by filing reply Dt. 12.12.2014. It is submitted that applicant filed application on 30.3.2014 that bills are issued under commercial tariff and tariff should be changed to residential. Tariff was changed and residential tariff was applied since December 2013 to September 2014 and amount of Rs. 8105/- is given credit to the applicant in October 2014. Applicant approached to I.G.R.C. As per order of Learned I.G.R.C. amount of interest of Rs. 1181/- is given credit to the applicant. Grievance application deserves to be dismissed.

4. Forum heard argument of non applicant and perused record.

5. Applicant argued before the Forum that his bungalow was given on rent to the tenant. When tenant was occupying the bungalow it was used for commercial purpose and therefore commercial tariff was applied. He further argued that on 30.6.2012, tenant vacated the bungalow and tenant named "Indian Technocrat Ltd." sent a letter addressed to SPANCO that bungalow is vacated and commercial tariff should be changed into residential tariff.

6. However, we do not agree with this argument of the applicant because applicant did not file his personal application signed by him to SNDL on 30.6.2012 requesting to change the tariff from commercial to residential. There is no acknowledgement of receipt of application of the applicant for change of tariff under the date 30.6.2012 or at any other time. It is true that applicant produced one letter written by tenant "Indian Technocrat Ltd." addressed to M/s. SPANCO. On this letter there is no acknowledgement, stamp or inward number of S.N.D.L. Therefore there is nothing on record to show that such type of letter filed by the tenant to SNDL on 30.6.2012. Such type of letter (without acknowledgement of SPANCO) can be prepared subsequently. Furthermore, there are many suspicious aspects in this letter. On the top of the letter written by "Indian Technocrats Ltd." to SPANCO Nagpur date is typed as 30.6.2012. In the body of the letter, it is written that bungalow is vacated on 30.6.2012. However, it is noteworthy that at the bottom of this letter under the signature of tenant or somebody else date is mentioned as 25.6.2012. Therefore if really this letter was sent on 30.6.2012, how and why date 25.6.2012 is written at the bottom, forms a big question mark. Therefore it is clear that neither the applicant consumer nor his tenant filed any application for change of tariff on 30.6.2012.

7. In view of above, action of Commercial Manager, SNDL to revise the applicant's bill from December 2013 (Giving effect from previous 3 months) is quite correct. But the Commercial Manager of SNDL has not given credit to the applicant of arrears of interest from the period December 2013 till the date of revision of bill which later on ordered by Learned I.G.R.C.

8. Therefore order passed by Learned I.G.R.C. is perfectly legal and valid and needs no interference. Grievance application deserves to be dismissed. Hence the following order :-

ORDER

- 1) Grievance application is dismissed.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN