

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

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**Case No. CGRF(NUZ)/084/2006**

**Applicant** : M/s. Saishraddha Textiles Industrial  
Co-op. Society Ltd.,  
At post Lonara, Tahsil, Nagpur,  
Dist. Nagpur- through its Chairman.

**Non-Applicant** : The Nodal Officer-  
Assistant Engineer,  
CC O&M Division-II,  
Nagpur representing the MSEDCL.

**Quorum Present** : 1) Shri S.D. Jahagirdar,  
Chairman,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.

2) Shri M.S. Shrisat  
Exe. Engr. & Member Secretary,  
Consumer Grievance Redressal Forum, NUZ,  
MSEDCL, Nagpur.

**ORDER (Passed on 16.01.2006)**

The present grievance application has been filed in the prescribed schedule "A" on 20.12.2005 under the provisions of Regulation 6.3 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2003 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of non-application of concessional rates of tariff during the period from

01.04.2003 to 30.11.2004 for the applicant's Industrial Co-op. Society. His grievance is also in respect of the excessive billing w.e.f. 30.07.2005 because of the defective meter.

Before approaching this Forum, the applicant had filed his complaint before the Chief Engineer, MSEB (Rural), Nagpur on 26.10.2004 raising therein the present grievance. However, it seems that no remedy was provided to the applicant's grievance. The Chief Engineer does not also seem to have forwarded the applicant's complaint to the Internal Grievance Redressal Unit as per the said Regulations. Hence, the requirement of the applicant approaching the Internal Grievance Redressal Unit stands dispensed with since he had earlier approached the Chief Engineer. Such a dispensation is also confirmed by the MERC.

After receipt of present grievance application, the non-applicant was asked to submit before this Forum his parawise comments under Regulations 6.7 & 6.8 of the said Regulations. Accordingly, he submitted his parawise report and a copy thereof was given to the applicant on 16.01.2006 before the case was taken up for hearing and the applicant was given opportunity to submit his say on this report also.

The matter was heard by us on 16.01.2006. Documents produced on record by both the parties are also perused & examined by us.

The first grievance of the applicant is in respect of non-application of concessional tariff rates to the applicant-Society in terms of Govt. of Maharashtra, Industries, Energy and Labour

Department's Resolution, being Resolution No.VI-PU-A-200/3Pra Kra 150-urja-3 dated 21.02.2004.

The applicant has contended that the applicant-Society is entitled to the concessional tariff rates in terms of the aforementioned Government Resolution.

He had approached concerned Officers of the non-applicant Company from time to time with a request to make applicable these concessional tariff rates to his Society. However, nothing has been done by the non-applicant so far.

He added that all other twelve such similarly placed Co-op. Industrial Societies have already been extended the facility of concessional rates and that his is the only Society which is deprived of the applicability of the concessional rates.

He requested that his grievance may be removed.

In his parawise report, the non-applicant has stated that, as per instructions from his Head Office, tariff rates cannot be changed until approval to revision thereof is accorded by the MERC. He, however, during the course of hearing, voluntarily agreed to make applicable concessional tariff rates w.e.f. 01.04.2003 to 30.11.2004 as per the aforementioned Government Resolution. In that, he says that concessional tariff rate of 1.86 per unit and Rs. 30/- per H.P. per month would be allowed to the applicant during the period from 01.04.2003 to 30.11.2003 and further that concessional tariff rate of Rs. 1/- per unit allowed during the period from 01.12.2003 to 30.11.2004. He further assured that this process would be completed before 31.01.2006.

He further stated that this would be done subject to the approval to the concessional tariff rates by the MERC.

Nothing has been submitted by him on the applicant's contention about discriminating his Society from other similarly placed Societies.

This means that other similar Societies are already extended the benefit of concessional rates.

The applicant, in reply, contended that industrial tariff at the rate of Rs.2.40/- per unit is already recovered by the non-applicant during the period from 01.04.2003 to 30.11.2004. He, therefore, requested that appropriate credit should be given to him in his ensuing energy bills because of the applicability of the concessional rates.

The non-applicant agreed to the above suggestion made by the applicant.

The applicant also agreed to the mention being made in his energy bills in respect of applicability of the concessional rates subject to approval of MERC.

Thus, the first grievance of the applicant stands settled as stated above.

The second grievance of the applicant is that excessive and erroneous consumption has been recorded by his meter and excessive bills charged w.e.f. 30.07.2005 and onwards.

The applicant has produced his energy bills dated 05.09.2005, dated 06.10.2005 and dated 01.12.2005 and contended that erroneous excessive consumption of as many as 4790 units, 3921 units and 3708 units has been shown respectively in his energy bills for the months of August, September & October / November, 2005. He had also contended that his consumption previous to August, 2005 was less than half of the consumption figures reflected by his energy bills quoted

above. He had applied to the concerned Assistant Engineer on 11.10.2005 bringing to his notice the above facts. He also requested for checking of his meter. However, according to him, nothing was done by the non-applicant and he was required to pay the excessively billed amounts.

He requested that revised bills should be issued by the non-applicant by correcting the excessive billing.

On this point, the contention of the non-applicant is that the applicant has been rightly charged as per the metered readings of his meter during the periods in question. He added that there is no substance in this complaint.

However, no plausible explanation is offered as to why no action was taken diligently on the applicant's complaint dated 11.10.2005 which was duly received by him on 13.10.2005. Had the applicant's meter been checked for its accuracy immediately after 13-10-2005, this complaint would not have been pursued further by the applicant.

The record shows that the applicant's energy bills dated 05.09.2005, 06.10.2005 and 01.12.2005 are showing respectively certain initial and final metered readings. Hence, it is prima-facie difficult to accept that the applicant was charged excessively unless the meter is checked for its accuracy.

May that be the case, the fact remains that the non-applicant did not take any cognizance of the applicant's complaint dated 11.10.2005 diligently. In that, the non-applicant could have checked the applicant's meter for its accuracy which has not been done.

The non-applicant, during the course of hearing, made a submission before us that the applicant's meter would be checked immediately by acucheck meter for its accuracy in the applicant's presence. He further assured us that if the meter is found upon testing to be defective as complained by the applicant, the applicant's energy bills for the month of August, 2005 and onwards would be corrected with retrospective effect and appropriate credit given to the applicant.

The applicant was satisfied this assurance and he accepted the non-applicant's line of action.

In view of above position, the applicant's grievance application is accepted by us and the same is disposed off with a direction to the non-applicant to remove the two grievances as per his own assurances.

The non-applicant shall accordingly take necessary action on or before 31.01.2006.

He shall also report action taken and the compliance of this order to this Forum on or before 05.02.2006.

Sd/-  
(M.S. Shrisat)  
Member-Secretary

Sd/-  
(S.D. Jahagirdar)  
CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM  
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's  
NAGPUR URBAN ZONE, NAGPUR**