

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

Case No. CGRF(NUZ)/48/2012

Applicant : Gangadhar Zibalji Bele,
At Mangalam Gift Center,
Khati Kamtha Chouk,
Mangalwari Peth, Umred,
Distt. NAGPUR.

Non-applicant : Nodal Officer,
The Executive Engineer,
(O&M) Division No. I,
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 2.6.2012.

The applicant filed present grievance application before this Forum on 18.4.2012 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 applied for commercial connection on 1.2.2006, paid the demand and meter for commercial use was installed. Since then, the applicant is paying the bills regularly. On 24.1.2012,

Officers of M.S.E.D.C.L. visited the spot and obtained his signature on one form. Thereafter bill of Rs. 22,590/- was issued to the applicant being the difference of tariff from Residential to Commercial. The applicant filed several applications but no action was taken. Ultimately, the applicant filed present grievance application before this Forum and prayed relief to cancel the bill of difference in tariff from residential to commercial amounting to Rs. 22,590/-.

2. M.S.E.D.C.L. filed the reply Dt. 15.5.2012 and partly admitted the grievance application. It is submitted that M.S.E.D.C.L. had took cognizance of the complaint of applicant and difference of bill amounting to Rs. 22,590/- is already cancelled. It is further submitted that on 24.1.2012, during the spot inspection, it is found that the applicant had applied for electrical supply for commercial purpose but due to technical mistake in the bills, instead of charging the commercial tariff, bills are issued erroneously for residential tariff. As per the verification of documents, it is found that shop of the applicant is functioning since March 2006 and therefore difference of bill for the period April 2006 to December 2011 amounting to Rs. 22,590/- being the difference in tariff from residential to commercial was previously issued. However, now this bill of Rs. 22,590/- is cancelled. Simply the bill of difference of 24 months amounting to Rs. 7,270/- is charged. If the applicant is unable to pay this bill, M.S.E.D.C.L. is ready give suitable installments.

3. Forum heard the arguments of both the sides and perused the record.

4. Bill for Rs. 22,590/- was for the period April 2006 to December 2011 and it was really barred by the limitation according to Section 56(2) of Electricity Act 2003. Therefore, M.S.E.D.C.L. is good enough to cancel this time barred bill.

5. Now bill of 24 months amounting to Rs. 7270/- is prepared which is well within limitation according to Section 56 (2) of Electricity Act 2003. It is an admitted fact that the applicant used the electricity supply for commercial purpose and therefore there is nothing wrong in charging commercial tariff for 24 months. Difference amount is merely 7270/-. M.S.E.C.L. is even ready to give suitable installments in case the applicant is unable to pay at once.

6. Therefore, in our opinion, M.S.E.D.C.L. shall recover difference of tariff from residential to commercial for the period of 24 months amounting to Rs. 7270/- from the applicant and suitable installments may granted. Hence the Forum proceeds to pass the following order :-

ORDER

- 1) Grievance application is partly allowed
- 2) Bill of Rs. 22,590/- for the period April 2006 to December 2011 is hereby set aside and cancelled.
- 3) M.S.E.D.C.L. shall recover only amount of Rs. 7270/- being the difference of tariff from residential to commercial for a period of 24 months from the applicant.
- 4) M.S.E.D.C.L. may grant suitable installments to the applicant in case the applicant is unable to pay the bill of Rs. 7270/- at once.
- 5) M.S.E.D.C.L. to comply the order within 30 days from the date of this order.

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