

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

Case No. CGRF(NUZ)/57/2011

Applicant : M/s. Nagpur Zilla Kapus Utpadak
Sahakari Sut Girni Limited,
Patansawangi, Taluka – Saoner,
District, Nagpur.

Non–applicant : Nodal Officer, The Superintending
Engineer, MSEDCL,
Nagpur Rural Circle,
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 09.12.2011)

The applicant, M/s. Nagpur Zilla Kapus Utpadak Sahakari Sut Girni Limited, Patansawangi, Taluka – Saoner, District Nagpur, filed present Grievance Application before this Forum on Dt. 11.10.2011 under regulation 6.4 of Maharashtra Electricity Regulatory Commission (Consumers Grievance Redressal Forum & Electricity Ombudsman) Regulations 2006 (hereinafter referred as Regulations).

- 1) Applicant's case in brief is that he demanded refund of amount of Rs. 3,04,434.00 from M.S.E.D.C.L. being the amount of Testing of Cubicle, Testing of Transformer & charges of metering cubicle, but M.S.E.D.C.L. did not refund this amount. Therefore the applicant filed present Grievance application.

- 2) The Non-applicant denied claim of the applicant by filing the reply on Dt. 8.11.2011. It is submitted that the applicant is a consumer having Contract Demand of 1505 kVA on 33 kV Line vide load sanction order dated 20.4.2010 & connection released on Dt. 14.9.2010. The revised estimate for extending the supply of Contract Demand of 1505 kVA on 33 kV level to the applicant was sanctioned vide No. SE/NRC/T/Esstt/1.3% Sup(ORC)/26 Dt. 17.6.2010. Only 1.3 % Supervision Charges of the total estimate amounting to Rs. 25430.00 was paid by the applicant & the work was to be carried out by the applicant through Licensed Electrical Contractor. The applicant paid Rs. 25430.00 on Dt. 15.7.2010.

- 3) As per Schedule of charges approved by the Commission on Dt. 8.9.2006 in case No. 70/05 & as per the order of Electricity Ombudsman in case No. 46/08 Dt. 27.8.2008 in the matter of M/s. Unijules Life Science, MSEDCL refunded the amount of Rs. 108731.00 towards the cost of metering cubicle in the energy bill for the month of November 2010. The amount was refunded in the month of November in the energy bill.

4) M.S.E.D.C.L. refunded cost towards cubicle testing fees for Rs. 5000.00 & Transformer testing fees of Rs. 3000.00 in the month of November 2010 to the applicant. The details of amount refunded in the month of November 2010 is as below :-

i) Cost of metering cubicle (as approved	
By MERC schedule of charges	Rs.1,08,731/-
ii) Cubicle testing charges	Rs. 5,000/-
iii) Transformer testing charges	Rs. 3,000/-
iv) Cubicle testing charges	
(which was recovered twice)	Rs. 5,000/-

Total	Rs.1,21,730/-
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5) As the connection was to be extended on 33 KV express feeder, for energy audit purpose & check metering, additional check meter & its allied equipment was to be provided, hence provision was made in the estimate. Cost of additional check metering equipment included in the estimate is as below :-

i) Cost of 33 KV C.Ts.	Rs. 60,000/-
ii) Cost of TOD meter (1 No)	Rs. 6,487/-
iii) Cost of 33 KV PTs.	Rs. 48,713/-
iv) Cost of control cable	Rs. 10,000/-

Total	Rs.1,25,200/-
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6) M.S.E.D.C.L. denies to refund the cost of structure for the CTs & PTs as the structure required for installing these metering equipment is the part of infrastructure, so the cost amounting to Rs. 12222/- can not be refunded. The refund of labour charges amounting to Rs. 38742.00 does not arise. The application of the applicant deserves to be dismissed.

7) Forum heard the arguments of both the sides & perused the record.

8) It is noteworthy that the present Grievance application is only in the shape of Schedule – A & except this nothing else. Along with Schedule-A, the applicant did not submit the detail application describing therein the details of claim and refund of amount claimed by the applicant. In Schedule-A Para 5, the applicant submitted only three lines as under :-

“ टेस्टिंग ऑफ क्युबिकल, टेस्टिंग ऑफ ट्रान्सफार्मर व मिटरिंग क्युबिकल चार्जेस ची बकाया रक्कम रु. ३,०४,४३४.०० परत करणेबाबत. ”

9) Except these three lines, there are no detail particulars given by the applicant to show as to how the amount of Rs. 304434/- is calculated. Nothing is pleaded what was the expenditure of testing of cubicle, testing of transformer and metering cubicle. Along with Schedule-A, the applicant had produced a copy of application to the Internal Grievance Redressal Cell (IGRC). However, it is the zerox copy of the application to IGRC and not to this

C.G.R.F. It was necessary for the applicant to attach the application addressed to this Forum describing therein bifurcation of the figures & other detail particulars to prove how the said amount is calculated. Therefore this vague Schedule-A is not tenable at law. In support of Grievance application, the applicant did not produce documentary evidence to prove these figures. On the contrary, the Non-applicant MSEDCL had given all detail particulars in their Written Statement & produced documentary evidence and proved pleadings of MSEDCL.

10) Therefore, in absence of evidence on record Forum hold that the applicant is not entitle to claim amount of Rs. 304434.00 from the Non-applicant.

11) Furthermore, applicant had not mentioned in his application whether his application before IGRC was allowed, rejected or kept pending undecided. For these reasons, the Grievance application is not tenable at law and deserves to be dismissed.

12) Resultantly, the Forum proceed to pass the following order :-

O R D E R

I) The Grievance application is hereby dismissed.

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