

**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION COMPANY LTD.
NASHIK ZONE**

(Established under the section 42 (5) of the Electricity Act, 2003)

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**Office of the
Consumer Grievance Redressal Forum
Kharbanda Park, 1st Floor,
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Dwarka, NASHIK 422011**

**No. / CGRF /Nashik/Nagar Circle /Sangamner Dn./629/19-2017-18/ Date: :
(BY R.P.A.D.)**

**Date of Submission of the case : 18/07/2017
Date of Decision : 14/11/2017**

To.

- 1 M/s.Paris Ispat Pvt. Ltd.,
S.R.No. 151, Plot No. 1 to 8 ,
At post Velhale Tq. Sangamner ,
Dist. Ahmednagar 422605
(Con.No. 155709005810) Complainant
- 2 Nodal Officer ,
Maharashtra State Electricity Distribution Com. Ltd.,
Circle office, Ahmednagar Distribution Company
- 3 Executive Engineer,
Maharashtra State Electricity Distribution Com. Ltd.
Sangamner Divn. Office
Dist. Ahmednagar.

DECISION

M/s. Paris Ispat Pvt. Ltd. . (hereafter referred as the Complainant). Sangamner is the industrial consumer of the Maharashtra State Electricity Distribution Company Ltd. (hereafter referred as the Distribution Company). The Complainant has submitted grievance against MSEDCL for wrongly applied billing MD from the Month of Jan 2015 to Dec. 2015 refunded the excess collected amount without interest. The Complainant filed a complaint regarding this with the Internal Grievance Redressal Committee of the Maharashtra State Electricity Distribution Company Ltd. But IGRC did not take any decision for more than 2 months . Hence , the consumer has submitted representations to the Consumer Grievance Redressal Forum in Schedule "A". The representations are registered at serial No. 119 Of 2017 on 18 /07/2017.

As:"But as the hearing could not be scheduled in this case, as the Forum was not functional due to posts of both the Chairperson and the Member (CPO) being vacant since June 2017. Later as per order no SE/TRC/CGRF/C-7/22650,Dt. 18.09.2017 the Member(CPO) ,CGRF, Jalgaon has been given additional charge of the Member(CPO) ,CGRF, Nashik who resumed the charge with effect from 20/09/2017."

The Forum in its meeting on 20/09/2017, decided to admit this case for hearing on 25/10/2017 at 12.00 Pm in the office of the forum . A notice dated 22/09/2017 to that effect was sent to the appellant and the concerned officers of the Distribution Company. A copy of the grievance was also forwarded with this notice to the Nodal Officer, MSEDCL, Circle Office Ahmednagar for submitting para-wise comments to the Forum on the grievance within 15 days under intimation to the consumer.

Shri. S.S. Muly, Addl. Executive Engineer, Shri. G. R. Avgonda, UDC represented the Distribution Company during the hearing. Shri B.R. Mantri appeared on behalf of the consumer.

Consumers Representation in brief :

MSEDCL has wrongly considered the A zone MD reading with B Zone reading for the month of January 2015.

We observed that original MR-9 and MR-9 submitted to circle office, there is difference in MD reading.

We have raised the complaint and MSEDCL has refunded the excess collected amount without interest .

Demand of the Consumer:

MSEDCL has to give refund amount statement and refund the interest amount as per EA 2003 Section 62(6) on excess collected amount payment deposit to refund date. Also withdraw the interest and DPC charged on the same refund amount which has charged from Jan 2015 to refund date. Considering as credit in correct bill or adjustment in arrears.

Arguments from the Distribution Company.

The Distribution Company submitted a letter dated 24/10/2017 from the Nodal Officer Ahmednagar Circle. MSEDCL, and other relevant correspondence in this case. The representatives of the Distribution Company stated that:

Ek s i f j l b L i k r ; k x t g d k u s p p h i p h d o g h , f M e k M n # L r d # u t k u o k j h 2015 r s f M I e j 2015 n j E ; k u f c y k r T ; k n k y k o . ; k r v k y s y h j D d e i j r d # u R ; k o j h y 0 ; k t f e G . ; k d j h r k x t g d k u s f n - 13 @ 02 @ 2017 u d k j v t l d y k g k r k - R ; k u d k j d k ; b k g h d # u t k u o k j h 2015 r s f M I e j 2015 n j E ; k u p p h i p h > k y s y h d o g h , f M e k M v k d k j . k h d e h d # u r l p R ; k o j h y 0 ; k t l k r t k M y s ; k r D R ; k u d k j e k s e s 2017 P ; k f c y k r d M h V d j . ; k r v k y s y h v k g s

At the time of hearing M.S.E.D.C.L. has agreed demand of consumer to revised the bills from Jan 2015 with reference to revised M.D.

Action by IGRC :

1. The complainant has submitted grievance to the Internal Grievance Redressal Cell Ahmednagar Circle on 21/04/2016 .
2. But the IGRC has not taken any action for more than 2 months.

Observations by the Forum:

1. As per the regulation 6.12 of the CGRF & EO Regulations , 2006 the Nodal Officer who is not below the rank of the Executive Engineer " shall act as the co-ordinator for filing of reply, making submissions, providing issue-wise comments on the Grievance..... etc" before the Forum and / or the Electricity Ombudsman. But the Forum has noted in this case that ,The Add. Ex. Engineer of Ahmednagar Divn. & U.D.C. H.T. Billing Ahmednagar Circle ,who has no authority to file a reply , has directly submitted the reply to the Forum. This is against the regulation 6.12. This matter is brought to the notice of the Nodal Officer and Superintending Engineer, Ahmednagar for future compliance.
2. In these cases , the complainant submitted grievance to the IGRC , Ahmednagar Circle on 21/04/2016 . However IGRC did not take any decision for more than 2 months . Hence they submitted grievances to the Forum 18/07/2017 .
3. From the paper submitted by the company representative and consumer representative it is observed that on application by consumer on 18/07/2017 , the company replied vide Lr. No. 16715 dtd. 24/10/2017 which is not to the point of grievance. Hence consumer approached in IGRC on 21/04/2016, the cognizance of which seems to be not taken by IGRC. In fact the if the company representative would have been replied to the consumer as per the say submitted to this forum during hearing , the consumer may got satisfied and might not approached to this forum. But on going through the bill revision charts and the bill raised for the month of May 2017 submitted alongwith say it seems bills raised found correct.

4. The Dist. Company to convince the consumer alongwith relevant papers as submitted in hearing i.e. bill revision sheet

After considering the representation submitted by the consumer, comments and arguments by the Distribution Licensee, all other records available, the grievance is decided with the observations and directions as elaborated in the preceding paragraphs and the following order is passed by the Forum for implementation:

ORDER

1. The Dist. Company should revised the bills from Jan.2015 with reference to corrected M.D. and withdraw the D.P.C. & interest charged respectively.
2. As per regulation 8.7 of the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006, order passed or direction issued by the Forum in this order shall be implemented by the Distribution Licensee within the time frame stipulated and the concerned Nodal Officer shall furnish intimation of such compliance to the Forum within one month from the date of this order.
3. As per regulation 22 of the above mentioned regulations, non-compliance of the orders/directions in this order by the Distribution Licensee in any manner whatsoever shall be deemed to be a contravention of the provisions of these Regulations and the Maharashtra Electricity Regulatory Commission can initiate proceedings *suo motu* or on a complaint filed by any person to impose penalty or prosecution proceeding under Sections 142 and 149 of the Electricity Act, 2003.
4. If aggrieved by the non-redressal of his Grievance by the Forum, the Complainant may make a representation to the Electricity Ombudsman, 606, 'KESHAVA', Bandra Kurla Complex, Bandra (East), Mumbai 400 051 within sixty (60) days from the date of this order under regulation 17.2 of the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006.

(Chandrakant M. Yeshirao)
Member

(Prasad P. Bicchal)
Chairman

Consumer Grievance Redressal Forum Nashik Zone

Copy for information and necessary action to:

- 1 Chief Engineer , Nashik Zone, Maharashtra State Electricity Distribution Company Ltd. , Vidyut Bhavan, Nashik Road 422101 (For Ex.Engr.(Admn)
- 2 Chief Engineer , Nashik Zone, Maharashtra State Electricity Distribution Company Ltd. , Vidyut Bhavan, Nashik Road 422101 (For P.R.O)
- 3 Superintending Engineer, Maharashtra State Electricity Distribution Company Ltd. , Circle office, Ahmednagar .

