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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Consumer Grievance Redressal Forum

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No. / CGRF /Nashik/NUC/N.R.Dn./812/65/2019-20/

(BY R.P.A.D.)

Date:

In the matter of excess billing

Date of Submission of the case: 13/06/2019 Date of Decision : 09/08/2019

To.

M/s. Rashi Chemicals and Plastics,

B-97, STIC, Musalgaon,

Tal. Sinnar Dist. Nashik 422103

(Consumer No. 075948004135)

Complainant

1. Nodal Officer,

Maharashtra State Electricity Distribution Com. Ltd.,

Urban Circle office, Shingada Talav,

Nashik

Distribution Company

(Respondent)

2. Executive Engineer (Rural)

Maharashtra State Electricity Distribution Com. Ltd.

Nashik Road.

DECISION

M/s. Rashi Chemicals & Plastics is the Industrial consumer of the Maharashtra State Electricity Distribution Company Ltd. (hereafter referred as the Respondent). The Complainant has submitted grievance against MSEDCL for Excess billing. The Complainant filed a complaint regarding this with the Internal Grievance Redressal Committee of the Maharashtra State Electricity Distribution Company Ltd. Ltd. But not satisfied with the decision of the IGRC, the consumer has submitted a representation to the Consumer Grievance Redressal Forum in Schedule "A". The representation is registered at Serial No.107 of 2019 on 13/06/2019.

The Forum in its meeting on 14/06/2019, decided to admit this case for hearing on 05/07/2019 at 1.00 Pm in the office of the forum. A notice dated 14/06/2019 to that effect was sent to the appellant and the concerned officers of the Distribution Company. A copy of the grievance was also with this notice to the Nodal Officer, MSEDCL, Urban Circle Office Nashik for submitting para-wise comments to the Forum on the grievance within 15 days under intimation to the consumer.

Smt. P.V. Bankar, Nodal Officer/Ex. Engr., Asstt. Auditor Shri N.P. Loknar represented the Distribution Company during the hearing. Shri. B. R. Mantri appeared on behalf of the consumer.

Consumers Representation in brief:

We have applied for reduction of load from 65 HP to 27 HP on date 04/06/4016, But MSEDCL has not taken action on our application. As per MERC SOP Regulation, reduction to be effected in next billing cycle. We have approached to IGRC and IGRC also issued the order for to effect the reduction from July 2016, But till date MSEDCL has not implemented the same.

Arguments from the Distribution Company:

The Distribution Company submitted a letter dated 04/07/2019 from the Nodal Officer, MSEDCL, Urban Circle Office Nashik and other relevant correspondence in this case. The representatives of the Distribution Company stated that:

- 3. अभागिय कार्यालयाकडुन सदर अर्जावर मंजुरी अप्राप्त असल्याने दि. १६/०७/२०१८ रोजी पुनःश्च लोड रिडक्शनच्या मंजुरीसाठी प्रस्ताव पाठविण्यात आला. तद्नंतर मंजुरी क्र. EE/Nashik-R/T/3761 dt. २५/०७/२०१८ अन्वये सम्पूर्ण पिप्रकार्ण पिप्रकार्ण पिप्रकार्ण विश्व पिप्रकार्ण विश्व पिर्म विश्व पि

अंतर्गत तक्रार निवारण कक्षाची कार्यवाही:

अंतर्गत तक्रार निवारण कक्ष नाशिक शहर मंडल कार्यालय येथ€ऋ॥ 14/06/2018 औट उसी नालेल्या तक्रारीची सुनावणी दि. २३/०८/२०१८ रोजी होबुन दि. २५/०९/२०१८ रोजी पुढीलप्रमाणे निर्णय देण्यात आला.

- ÂÛ-ÿüÝѾ҈Ӣ҈Ѿ҈Ѽ″Ӧ ÖÛğü³Ѿ¸üकमी ६५ ते २७ एचपी करण्याकरीता अर्ज दि. ०४/०६/२०१६ रोजी उपवि³ѾӦ Ѧ҄Ӧ҈҈Ѹ҈ӹ1 या कार्यालयात प्राप्त -Ѿ>Ѿ. ÃÖ-ijü†•ѾѼ҈СЙО ЎѾ҈Ӣ҈Ѿ҈Ѿ҈ѧ҈Ѿ҈Ӧ҈҈Ӣ҈҈Ѿ҈і, ïѾ҈ѺÃѾ-ijüÜb>Ѿ>Ѿ † ÖÃ
- 2. महाराष्ट्र विदयुत नियामक आयोग (वितरण परवानाधारकांच्या कृमीची मानके, विदयुत पुरवठा सुरु करावयाचा प्रीक्रिंभिंसिं प्रिमेणे अरपाईचे निश्चीतीकरण) विनियम २०१४ च्या विनियम ४.१४ नुसार ग्राहकाकडुन करारांतगणि मागणी /मंजुर विदयुत भारात कपात करण्याची विनंती प्राप्त नाल्यानंतर वितरण परवानाधारक, अन्य काही मान्य केले नसल्यास, अशी विनंती प्राप्त नाल्यानंतर प्रिम् प्राण्यापुर्वी कपात करेल. सदर ग्राहकाचा मंजुर भार जुलै २०१६ पासुन कमी करण्यात यावा व सुधारीत विदयुं भाराकरीता नवीन करार करण्यात यावा.

Observation by the forum:

Heard both parties & observed that M/s. Rashi Chemicals & Plastics (Con. No. 075948004135) has applied for reduction of load from 65 HP to 27 Hp on 04/04/2016, but no action has taken by Dist. Co. In fact reduction would have been given from next billing cycle, but from the evidence submitted during hearing still it was not given upto June 19, only B-80 proposal of Rs. 66030/- is enclosed stating that effect will be given in June-19 billing cycle.

But consumer is demanding for refund with interest from July 16 till date of refund along with SOP.

After approaching in IGRC by consumer on 14/06/2018 the IGRC given decision on 25/09/2018 stating to give effect of load reduction from July 16, but IGRC has not mentioned about interest in refund as applied by applicant.

After considering the representation submitted by the consumer, comments and arguments by the Distribution Company, 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. Load reduction be effected from July 16 with refund of extra amount paid towards tariff difference with an interest as applicable with R.B.I. rate of interest applicable from time to time.
- 2. Applicant demand of SOP compensation rejected as the consumer also not approached during intermediate period.
- 3. 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 one month and the concerned Nodal Officer shall furnish intimation of such compliance to the Forum.
- 4. 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.

(Smt. Vaishali V.Deole) (Prasad P. Bicchal) (Vivekkumar R.Agarwal)

Member Secretary 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., Urban Circle office, Nashik.

