

# ELECTRICITY OMBUDSMAN, RAJASTHAN JAIPUR

**Case No. : EOR 429/2018**

In the matter of representation filed before the Electricity Ombudsman, Rajasthan, Jaipur by

M/s Singhvi Woollen Industries,  
7, Lalbahadur Shashtri Industrial Area  
Beawar - 305901

Appellant

v/s

Ajmer Vidyut Vitran Nigam Ltd.,  
Vidyut Bhawan, Makarwali Road,  
Panchsheel Nagar,  
Ajmer – 305 004

Respondent

Represented by

Appellant: Shri Satish Kumar Meratwal, Partner

Respondent: XEN(O&M), AVVNL Beawar,  
Shri Ribhu Dutta, Advocate

Coram  
G.R.Choudhary  
Electricity Ombudsman,  
Rajasthan

**Order**

**Date: 22.3.18**

**1. Registration of the case**

The Appellant filed a representation on 15.2.18 before the Electricity Ombudsman, Rajasthan which was registered on same day at Case No. EOR – 429/2018.

## 2. Brief of the case

The Appellant is having an electricity connection in MIP category (A/c No. 0692-0001) for sanctioned connected load of 130 HP and contract demand of 48 kVA, at Industrial Area under AEN (CSD-I), AVVNL Beawar in Ajmer district of the Respondent. The minimal facts leading to this representation are narrated hereunder:

- i. The Respondent issued electricity bills without allowing rebate of 7.5 % and according to the Appellant the rebate of 7.5% was admissible to them as per Tariff for Supply -2011, Tariff schedule (VI) Note (ii) on being a consumer of Medium Industrial Service (Schedule MP/LT-6) and having metering on HT side.
- ii. The Appellant approached the Circle (ADC) Level Grievance Redressal Settlement Forum of the Respondent at Ajmer (**Forum** in short) for redressal of their grievance.
- iii. The grievance of the Appellant was not heard by the Forum within prescribed time limit of 45 days, the Appellant filed the representation before the Electricity Ombudsman for redressal of its grievance.

## 3. Representation

In the representation along with documents submitted, the Appellant stated as under:

- I. The Appellant stated that they are having MIP - I connection with sanctioned connected load of 130 HP, contract demand of 48 kVA, CHARACTER OF SERVICE – L.T. three PHASE at 415V, Tariff code 6211XA under Tariff schedule MP/LT-6. The Appellant is having their own distribution Transformer with H.T. side Metering and paying regularly CT-PT rent as Rs. 900/- per month in urban area Beawar. Aggrieved from non-redressal of grievance by the Forum, within stipulated period , the Appellant filed the representation before the Electricity Ombudsman for redressal of the grievance.
- II. As per the provisions of the Tariff for supply of Electricity-2011, Contract demand based tariff is basically tariff for supply at 11 kV. The Tariff schedule MP-/ LT-6 is applicable on aggregate sanctioned connected load above 25 HP but not exceeding total sanctioned connected load of 150 HP & / or Maximum demand of 50 KVA. As per Medium Industrial Service (Schedule MP/LT-6)- under Para Note (ii) "If a connection under this schedule is provided at High Tension supply with metering provided on HT side, a rebate of 7.5% on the billed amount under this schedule will be given".
- III. As per Medium Industrial Service (Schedule MP/LT-6)- under Para Note (iii) "Such consumers can also opt to take High Tension Supply under Tariff Schedule MP/HT-3 for which stipulation of Contract demand would be required".
- IV. The Appellant stated that they comply with the above said requirements & therefore as per provisions of Tariff for supply of electricity, they were entitled for getting rebate of 7.5% since date of installation of Transformer having CD less than 50 kVA, but said rebate could not be allowed in the billing. On enquiry, it was gathered that the billing agency of AVVNL, had no billing features / system for providing said rebate in respect of MIP I category connections.

- V. Now present billing agency has billing features / system for providing said rebate as per tariff. The matter was perused & the voltage rebate was allowed in the month of April, 2015 & May-2016 onwards.
- VI. The complaint registered on 2.11.17 before the Circle (ADC) Forum along with statement of calculations indicating that the Discom did not allow the said rebate due for amounting to Rs. 1,59685/- which may verify from the records of AVVNL, but the Forum did not decided the same within a period of 45 days. The Forum did not pass any order as per provisions of Regulations and which is violation of Regulation 7(1) of Redressal of grievance Regulations.
- VII. The Appellant requested to refund the amount along with interest payable under Regulation 37 of the Supply Code Regulations payable from date of recovery to the date of credit.
- VIII. The relief sought from The Ombudsman:
  - a) The Respondent be directed to compensate by awarding a penalty, for acting arbitrarily and holding money and charging extra incorrect amount and not refunding despite request/and made deliberate non compliance of the rules.
  - b) The Respondent be directed to refund the excess amount recovered along with interest accrued on excess amount recovered from the Appellant under regulation 37 of the supply code regulations.

#### 4. Processing of the case

- 1) The notices were served on dated 15.2.18. A copy of the representation received from the Appellant was forwarded in terms of the **Regulation 7(1)** of the RERC (Settlement of Disputes by Electricity Ombudsman) Regulations, 2010 (**Electricity Ombudsman Regulations** in short), to the Respondent and the Forum for sending reply / comments/ factual report, so as to reach to the Electricity Ombudsman by 14.3.18 along with necessary supporting documents and the proof of serving a copy of the same to the Appellant.
- 2) The Appellant was also asked to furnish his comments, if any, on the Respondent's reply, to the Electricity Ombudsman by 23.3.18 along with a proof of serving a copy of the same to the Respondent.

#### 5. Replies, comments and arguments

- i. The Respondent furnished the reply to the representation on 15.3.18 along with a proof of serving a copy of the same to the Appellant.
- ii. No reply/ comment on the Appellant's representation were received from the Forum.
- iii. The Appellant did not furnish the comments on the Respondent's above reply.
- iv. The Respondent's reply have been summarised as under:
  - a) The Respondent stated that the Appellant approached the Ombudsman upon non-redressal of his grievance at Circle Level Grievance Redressal Forum. The Forum in its meeting on 27-2-2018 passed the order in the favour of the Appellant.
  - b) The Respondent further stated that the Appellant had also given their acceptance to the order passed by Circle Level Grievance Redressal Committee vide their letter dated 13.03.2018.

- c) The Respondent stated that this reply may be taken on record, and the present appeal is liable to be dismissed as the same has been rendered in fructuous.
- d) Subsequently a mail was received on 20.3.18 (hard copy was also received on 21.3.18) from Shri Satish Kumar Meratwal, Partner (Appellant) in which it was stated by them that they want to withdraw their representation as their grievance has already been redressed by the Circle Forum, after filing the appeal before the Electricity Ombudsman on 27.2.18. In this reference the Appellant already sent their consent to the Respondent on dated 13.3.18 through a letter stating that they will not raise the issue before the Ombudsman.

**6. Order on Representation**

In view of the Appellant's request as above, the Electricity Ombudsman allows the Appellant to withdraw the said representation. Accordingly, the case registered at No. EOR – 429/2018 stands settled and disposed off with no orders as to cost.

(G.R.Choudhary)  
Electricity Ombudsman,  
Rajasthan

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