

# MAHARASHTRA STATE ELECTRICITY BOARD

## Consumer Grievance Redressal Forum

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Office of the  
Consumer Grievance Redressal Forum,  
Vidyut, Gr. Floor, LBS Marg, Bhandup,  
Mumbai 400078.

Case No.11/04

Hearing date : 11.1.2005

Ref. No. CGRF/BNDUZ/H8-04/

Date:

To  
Shri Narayanlal D.Thakkar  
Shop No.2, Zenith Compound,  
Kalyan Bhiwandi Road,  
BHIWANDI.

To  
The Executive Engineer  
O&M Division, MSEB, Bhiwandi.

Hearing of the Grievance No.11/04 of Consumer No.013010546308 was fixed on the 11<sup>th</sup> day of January, 2005 at 11.30 AM at the Forum office at Bhandup and Shri Praveen Thakkar on behalf of Shri Narayanlal D.Thakkar was present at 11.30 AM. All members of the Forum were present.

Shri Praveen Thakkar stated that he has got the Power of Attorney from his brother Shri Narayanlal D.Thakkar and he has made the application to the Consumer Redressal Forum, Bhandup. At the time of hearing, the Executive Engineer, MSEB, Bhiwandi or his representative were not present. We have however received report from Executive Engineer, MSEB, Bhiwandi which is kept on record.

Shri Praveen Thakkar says that he has given every thing in the complaint application made to the Consumer Redressal Forum.

He has stated that Demand/Fixed charges for 1 HP is Rs.60/- per (For Sanctioned load half of the Demand Charges, i.e. Rs.30/- per HP)

He has further stated that MSEB is charging for the Demand charges i.e. Fixed charges Rs.60/- per H.P, but for sanctioned load it is Rs.30/- per H.P (i.e. 50 % of the tariff charges). For excess connected load (unauthorized load above the sanctioned load) double of the fixed charges i.e. Rs.120/- per HP.

MSEB has charged for connected load at the rate of Rs.60/- per HP, which is wrong. It is unfair, injustice and illegal with the Consumer as Shri Thakkar stated.

So I pray that the MSEB should give refund the money which is taken from us from the date from which the charges were recovered from him.

Question from Forum

(1) - What is your sanctioned load ?

Answer - 19 HP.

(2) - What is your connected load

Answer - 20 HP.

i.e. - 1 HP extra.

(3) How much bill you want to get?

Shri Thakkar further says that as per the MERC order copy, excess connected load at the double of the fixed charges i.e. Rs.120/-.

But the Member of the Forum has stated that MERC has mentioned in the order is penalty for excess connected load is double of the fixed charges i.e. Rs.120/- to be charged and not fixed charges.

(4) Whether LT or HT Power supply ?

Consumer replied as 'LTP'

(5) What is the period of dispute ?

Reply from Consumer - i.e. from 1.1.2002.

(6) Whether you have given the power of attorney to this Forum ?

Shri Thakkar replied that he has submitted the Power of Attorney to the MERC office, but in case it is necessary he will submit the copy to the Forum and he has agreed to submit the same before Forum should make any decision about the complaint.

The representative of utility, Mr Patil, UDC, MSEB, Bhiwandi reached late due to traffic jam.

Shri Patil, UDC, MSEB, Bhiwandi represented the utility. He stated that the utility is charging the consumer in accordance to the MERC tariff orders, where it clearly shows "in case of excess connected load, the consumer shall be billed based on the actual connected load and shall be levied penal charges for unauthorized connected load at double the rate of fixed charges applicable under the tariff applicable to general motive power consumers prevailing from time to time". The Fixed charge for the connected load is Rs.60/- per H.P and we have charged connected load of 20x60 i.e. Rs.1200/- while Rs.120/- for 1 HP (20 HP - 19 HP). Hence the billing done by the utility is correct. He has presented the MERC tariff order to the Forum in support of his say. He also have shown the bill where the consumer was within the sanctioned load. The utility has charged the consumer as per the

tariff i.e. 50 % of the sanctioned load multiplied by tariff applicable (Reference Bill for the month of June,2003).

- ORDER -

Shri Narayanlal G. Thakkar has made a complaint application before the Consumer Forum on stating that the bill charged by the MSEB is not correct particularly the penalty is excess. Shri Praveen Thakkar who has got the authority to be present was present on behalf of Shri Narayanlal G.Thakkar (the Consumer). The Representative of the Executive Engineer, Bhiwandi could not attend the hearing at the time given by the Forum. Consequently Shri Patil, UDC represented the Executive Engineer.

Shri Praveen Thakkar briefly stated that the MSEB has charged me fixed charges at higher rate without giving 50 % concession on the sanctioned load. According to me, the sanctioned load should have been charged at Rs.30 (i.e. 50 % of Rs.60/-) and Rs.120/- for 1 HP excess load over the sanctioned load. He also presented the MERC tariff order.

The forum has carefully gone through the papers submitted by both the parties and reached to the conclusion that utility has interpreted the MERC tariff order correctly and has billed accordingly while Mr Thakkar has misunderstood it. The demand charges of Rs.60/HP/pm for 50 % of the sanctioned load is applicable only when consumer is within or equal to sanction load. The grievance of Mr Thakkar is based on wrong footing of understanding of the tariff order and the case is therefore dismissed in favour of utility.

Note : (1) If Consumer is not satisfied with the decision, he may go in appeal within 60 days on receipt of this order to Ombudsman in attached "Form B".

Address of Ombudsman -

Ombudsman

MERC, 13<sup>th</sup> Floor, Centre No.1,  
World Trade Centre, Cuff Parade,  
Mumbai 400 005.

(2) If utility is not satisfied with order, it may apply to MERC within 60 days from receipt of the order.

(Sandeep Pasarkar)  
Member

(G.R.Jadhav)  
Member Secretary

(Pramod Mane)  
Chairman

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**File/D:Kurup-2004/Cons.Red.Gr.Forum, BND/p-27/PC-1(RST)**