

(A Govt. of Maharashtra Undertaking)

CIN : U40109MH2005SGC153645

PHONE NO. : 25664314/25664316

FAX NO. 26470953

Email: cgrfbhandupz@gmail.com

Website: www.mahadiscom.in

Consumer Grievance Redressal Forum

“Vidyut Bhavan”, Gr. Floor,

L.B.S.Marg,Bhandup (W),

Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/266

Date: 09.01.2018

Hearing Date: 02.01.2018

CASE NO. 49/2017

IN THE MATTER OF GRIEVANCE CHANGE OF TARIFF FROM LT B TO LT X(B) WITH RESTROSPECTIVE EFFECT AND INTEREST ON SECURITY DEPOSITE .

M/s. The Family Welfare Health Services,
R-81, TTC MIDC, Mahajan Hospital, Rabale,
Navi Mumbai-400701

(Consumer No. 000111419507)

. . . . (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution Company Limited
through its Nodal
Officer,
Vashi Circle, Vashi

. . . . (Hereinafter referred as Licensee)

**Appearance : For
Licensee**

- Shri. M.B.Deshpande, AEE, Airoli Sub Division.

For Consumer – Hemant V. Hatkar (Representative)

[Coram- Shri A.M. Garde- Chairperson, Shri. R.S.Avhad -Member Secretary
and Vacant - Member (CPO)].

1. Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as ‘MERC’. This Consumer Grievance Redressal Forum has been

established as per the notification issued by MERC i.e. “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as ‘Regulation’. Further the regulation has been made by MERC i.e. Maharashtra Electricity Regulatory Commission. [Electricity Supply Code and other conditions of supply Regulations 2005] Hereinafter referred as ‘Supply Code’ for the sake of brevity. Even, regulation has been made by MERC i.e. Maharashtra Electricity.

2. Consumer herein is a Hospital under name and style “The Family Welfare Health Service charity” bearing consumer No.000111419507. Grievance raised of wrong tariff application. In particular, tariff LT B was wrongly applied instead of the applicable LTX (B).
3. In reply Licensee MSEDCL states that as per consumer application tariff was changed and reflected in the bill for the month of August 2017. Meanwhile consumer approached IGRC Vashi which in turn vide its order No.5031 dtd.01.06.2017 directed to refund the difference retrospectively. Licensee contends that accordingly B-80 for refund of amount due to tariff change w.e.f. the date of application i.e. 01.06.2017 is fed online (Rs. 1,14848/-) and will be reflected in the bill for the month of January 2018. For awarding interest on security deposit IT Vashi is requested to provide necessary details and after receiving the details the same will be processed in the next billing cycle.
4. We have heard both sides. As has been pointed out IGRC Vashi has passed an order on 07.09.2017 whereby the entire grievance of the consumer has made has been ordered to be redressed. In fact herein consumer’s prayer is

also only to direct licensee MSEDCL to comply/obey the said orders. We have gone through the order passed by IGRC and find absolutely no ambiguity therein. Licensee - MSEDCL cannot ask for any relief before this Forum against the order of IGRC. Non compliance on the other hand would invite action under section 142 of the Indian Electricity Act.

Hence the order

ORDER

Licensee MSEDCL is directed to comply with the order passed by IGRC (within one week) in letter and spirit.

Both the parties should be informed accordingly.

The compliance should be report within one week.

The order is issued under the seal of Consumer Grievance Redresses Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

Note:

1) If Consumer is not satisfied with the decision, he may file representation within 60 days from the date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman

The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051

2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

I Agree/Disagree

**ANANT M. GARDE
CHAIRPERSON
CGRF, BHANDUP**

**RAVINDRA S. AVHAD
MEMBER SECRETARY
CGRF, BHANDUP**