

Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/

Date:

Case No. 60

Hearing Dt. 10/04/2006,

Consumer Shri Rajesh P. Mange of Bhiwandi put up his grievance with this Forum it registered on dated 05/04/06 vide registration no. 60. The date of hearing is fixed on dtd. 28/04/06. The hearing could not be completed as utility's representative did not bring details of the case. As per his request, the date of hearing postponed to dtd. 08/05/06 in consultation with the consumer's representative. The hearing is completed on 08/05/06 in the presence of Chairman, member & member secretary.

The representatives from the consumer's side & utility are as follows :

Consumer's side (Referred as petitioner)

Utility side (Referred as respondent)

1. Shri Shakeel Ansari, representative of consumer
 2. Shri Rajesh P. Mange, Consumer,
- Shri A.B. Papadkar. E.E. (BWD-I).
Shri M.I. Mulla, D.A..

Consumer's representative narrated the grievance as follows :

The consumer Shri Rajesh P. Mange is having a consumer no. IP-181 for industrial purpose for manufacturing of wooden products with sanctioned load of 35 HP and the other connection C-182 for commercial purpose for lighting use having sanctioned load of 0.750 KW approx. However, the consumer is billed for 37 HP connected load by levying penalty of 2 HP excess connected load for connection no. IP-181.

He further stated that the said connection was checked by MSEB officials on dated 01/05/02 in which the connected load of IP-181 was shown as 32 HP, but the bill is issued for 37 HP. Hence, load should be reduced to 32 HP & be revised accordingly. The excess penalty charged due to unauthorized extension of load should be refunded since 01/05/02.

Forum to consumer : How did you get the copy of the inspection report where as it is not issued to you by obtaining your signature on it?

Consumer : My representative collected it from the concerned authority

Forum : Do you agree with this inspection report?

Consumer : Yes, we do agree with this report & our billing should be done accordingly it..

Forum : Did you submit any document such as test report & application regarding reduction of load from 37 HP to 32 HP?

Consumer : No, we did not submit any documentary evidence supporting the reduction of load.

Forum : You admit that you did not submit any documentary evidence regarding reduction of load, how do you say that your connected load is 32 HP instead of 37 HP where as inspection report does not indicate the details of machinery connected?

Consumer : As per my record, it is 32 HP. Hence, it should be granted for billing purpose.

Utility

The representative of utility admitted that there were two connections IP-181 one for industrial purpose & 2nd C-182 for lighting load under commercial tariff. The industrial connection of the consumer No. I-181 was checked by the officials of the utility and connected load was found as 37 HP against the sanctioned load of 35 HP by having 2 HP unauthorized extension on it. He is being billed as per the applicable tariff. The consumer submitted the inspection report dtd. 01/05/02 in front of Forum. While going through it, it is observed that connected load with details of machinery is not given but only the total connected load of 32 HP is shown. Also the inspection report is not signed by the consumer which cannot be granted as authentic. He could refuse this inspection report also in case, if it was not found in his favour. He objected the demand of consumer to withdraw the charges levied to the consumer for unauthorized extension of load since May-2002.

Further, he stated that consumer did not represent the case earlier but only on 16/09/05 with Dy. Ex. Engr., Sub-Divn. VI & on dtd. 05/10/05 to E.E., BWD C.O. in ICGRC. The lighting meter provided for C-182 connection to record unit consumption for lighting load for commercial purpose was removed in Dec.-02 & all the lighting load was shifted on industrial meter provided for IP-181 connection. During the inspection while removing the meter provided for lighting load, the load was checked & found as 32 HP for IP connection & 2.8 KW~ 4 HP for lighting connection.

Thus total connected load on IP meter after C-182 made P.D. was found 36 HP (35 HP S.L. of IP + 0.75 KW~ 1 HP of lighting load). As both the parties were agreed about the total connection load after clubbing the load being 36 HP. The only difference of opinion in between them was about the period since when it should be considered. Hence, they were offered to settle the matter through conciliation / mediation.

During the hearing, both the parties have mutually agreed on the following points in front of the Forum.

- 1) The sanctioned load of IP-181 & C-182 after clubbing the load of both the meters by removing single phase meter in Dec-02 is not 36 HP.
- 2) The representative of utility agreed to bill the IP-181 for total connected load of 36 HP assuming it as sanctioned load by considering the sanctioned load of IP-181 & C-182 together since Jan-03.
- 3) All the penal charges levied on it over & above 36 HP will be withdrawn after Jan-03 i.e. after clubbing the load of both the meters.
- 4) Any claim from date of connection till Dec-02 for consumer No. I-181 & C-182 will not be demanded by either parties as it is being time barred.

ORDER

Both the parties have mutually agreed during the hearing in front of Forum and also on perusal of facts following order is passed.

- 1) The consumer Shri Rajesh P. Mange bearing consumer no. I-181 should be billed for 36 HP assuming it as sanctioned load after clubbing the sanctioned load of both connections since Jan-03.
- 2) Excess fixed charges levied due to unauthorised connected load & penal charges if any from Jan-03, should be refunded to the consumer or it may be adjusted with arrears as the case may be.
- 3) Both the parties should not re-open any claim for the period upto Dec-02 for both connections.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 12th of May 2006.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal within 60 days from 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 go in appeal before the Hon. High Court within 60 days from receipt of the order.

**MRS. M.P. DATAR
MEMBER
CGRF, BHANDUP**

**S.L. KULKARNI
CHAIRMAN
CGRF, BHANDUP**

**G. B. SINGH
MEMBER SECRETARY
CGRF, BHANDUP**