



**Consumer Grievance Redressal Forum, Kalyan Zone**  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
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**IN THE MATTER OF GRIEVANCE NO. K/E/578/684 OF 2011-2012 OF SHRI VIJAY K. SHETTY (HOTEL SHIV PRASAD), KALYAN (WEST) REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESS LOAD RECOVERY & TARIFF DIFFERENCE .**

Shri Vijay K. Shetty  
Hotel Shiv Prasad  
Shop No. 06, Jyoti Complex,  
Murbad Road, Kalyan (West) : 421 301

(Here-in-after  
referred  
as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Dy. Executive Engineer  
Kalyan (West) Sub-Division - I

(Here-in-after  
referred  
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the

grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer is a L.T. consumer of the licensee. The Consumer is billed as per commercial tariff. Consumer registered grievance with the Forum on 20/01/2012 for Excess Load Recovery & Tariff Difference.

The details are as follows :

Name of the consumer :- Shri Vijay K. Shetty (Hotel Shiv Prasad)

Address: - As given in the title

Consumer No : - 020020823233

Reason of dispute : Excess Load Recovery & Tariff Difference

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/105 dated 20/01/2012 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/Sub-Dn.I/Kalyan(West)/Billing/400, dated 12/03/2012.
- 4) A hearing was held on 05/03/2012 @ 15.00 hrs. and on 12/03/2012 @ 15.00 hrs. The Members of the Forum heard both the parties in the meeting hall of the Forum's office. Shri B. R. Mantry representative of the consumer, & Shri Taiwade Nodal Officer, Shri Rajendra Yedke Dy. Ex. Engr., Shri Deshmukh Asstt. Acctt. representatives of the licensee attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record.
- 5) It is the case of the complainant that the supplementary bill for Rs. 44,046=10 was issued to him without supporting calculation sheet, inspection report. It is for the period June 2011 to October 2011, tariff

difference of below 20 KW and above 20 KW and charged double rate. The sanctioned load was 14.7 KW, so applicability of tariff categoration is LT-II commercial below 20 KW. In case if MSEDCL has found excess load in three months in the year, MSEDCL has to issue a notice to control the load or requested to apply for additional load and regularize the additional load with necessary payments as per MERC schedule of charges. No any notice was issued by MSEDCL to the complainant for exceeding load. This supplementary bill was issued inspite of the awareness of the directions given by Hon. Commission regarding **load drawal** measured through the **MD meters**. The order is dated 14<sup>th</sup> July 2005 in Case No. 02 of 2003.

- 6) It also appears that complainant applied for additional load on 15/09/2011 which is sanctioned and released the additional load after making the necessary payments to MSEDCL. The reference is also given by the complainant in his say regarding the directions given by CGRF Kalyan in the matters of M/s. Shree Devi Hospital and M/s. Raja Hotel regarding the recovery against excess load, those complaints were allowed and the decision taken by MSEDCL was quashed and set aside. It is requested by the complainant to withdraw the total supplementary bill recovery against excess connected load bill dated 30/11/2011, which is not as per Commission's order and refund the said amount.
- 7) As per say given by licensee as per directions of Hon. MERC the fresh bill of complainant is prepared on the basis of MRI report of complainant till the end of October 2011 and amount is Rs. 45,246/-. Previously the bill of Rs. 44,050/- was issued calculating commonly on 40.70 MD KVA for all the months. After getting MRI in Sept. 2011 it was 40.70 MD KVA, in Oct. 2011 it was 46.19 MD KVA, in Nov. 2011 it was 44.60 MD KVA, the

calculation sheet is enclosed with the say. The additional load was claimed by complainant 36.3 KW, the original supply 14.7 KW & excess load 36.3 KW in total demand was of 51 KW. The complainant submitted the application on 19/09/2011 for additional load. The inauguration of hotel was on 19/06/2011 so since there after there was excess load consumption by the complainant presuming excess load since June 2011, as per rules of MESDCL the bill was issued.

- 8) We have on record the copy of invitation card regarding inauguration of hotel on 19/06/2011. It is admitted by the complainant that since the inauguration of the hotel the consumption was more, however the grievance of the complainant was that the calculation sheet was not shown to him as to how the excess bill was charged by MSEDCL. On last date the copy of MRI report and CPL of the said consumer i.e. complainant was given to the complainant for his information.
- 9) The maximum demands of the complainant for the month of June, July & August 2011 are not available with MRI report (which is produced by licensee at the time of hearing), hence the licensee is directed to retrieve the MRI report of said meter and confirm the maximum demands of concerned months as above and revise the bill accordingly as per MERC Order in Case No. 02 of 2003. It is clear now as per record considering the MRI as well as considering the CPL that more energy was consumed after inauguration of hotel. Hence order :

**O-R-D-E-R**

- 1) The grievance application is partly allowed.

- 2) Licensee is hereby directed to revise the bill of complainant as per M.D. recorded by meter as per MERC Order in Case No. 02 of 2003 as explained in Para No. 09 of this order within 30 days from the date of receipt of this order.
- 3) Licensee is also directed to provide the calculation sheet / MRI report for the month of June, July & August 2011 to the complainant within 30 days from the date of receipt of this order.
- 4) Compliance of this order be reported to the Forum within a period of 45 days from the date of receiving this order.
- 5) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

*“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.*

- 6) Consumer, as per section 142 of the Electricity Act, 003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at the following address:-

*“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”*

Date : 22/03/2012

(Mrs. S.A. Jamdar)  
Member  
CGRF Kalyan

(R.V. Shivdas)  
Member Secretary  
CGRF Kalyan

(S.K. Chaudhari)  
Chairperson  
CGRF Kalyan