



**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/491/577 OF 2011-2012 OF**  
**M/S. ANSHUL INDUSTRIES, VASAI (EAST) REGISTERED WITH**  
**CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN**  
**ABOUT EXCESSIVE BILLING.**

M/s. Anshul Industries,  
Gala No. 15,  
Sadanand Raut Industrial Estate,  
Chinchpada, Vasai (East),  
Dist. : Thane – 401 208

} (Here-in-after  
referred  
as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Dy. Executive Engineer  
Vasai Road (East) Sub-Dn.  
Vasai, Dist. Thane.

} (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 with C. D. 20 HP. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 10/02/2011 for Excessive Energy Bills. The details are as follows: -

Name of the consumer :- M/s. Anshul Industries

Address: - As given in the title

Consumer No : - 1)001890789877 – 20 HP

Reason of dispute : Excessive Energy Bills.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/110 dated 10/02/2011 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/VSI/B/1505, dated 05/03/2011.
- 4) The forum heard both the parties on 08/03/2011 @ 15.45 Hrs. in the meeting hall of the Forum's office. Shri Harshad Sheth, Shri Vinit Sheth representatives of the consumer & Shri M. S. Patil, Asstt. Acctt., and Shri J. P. Keni Sub-Engineer, 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. Submissions made by each party in respect of each grievance shall be referred while deciding each of the grievances to avoid repetition.
- 5) The consumer has taken electricity connection from the Distribution Licensee (DL) to the industry situated at Sadanand Raut Ind. Estate,

- Chinchpada, Vasai (East) in the year 2003. It is averred while extending load licensee collected SD of Rs. 6,000/- and Rs. 3,600/- as six months minimum charges. However, only S. D. was refunded without interest and the amount of six months minimum charges did not refund, consequently licensee is liable to refund amount of ASD Rs. 3,600/- with interest on refunded amount. It is further contended that this amount of ASD does not appear in the computer due to change over to Oracle System. It is contended on verifying F-1 register or any other evidence as per the directions of Hon. MERC licensee needs to refund the same and that consumer claimed the amount vide chart enclosed with interest but not refunded. It is further contended that licensee is supposed to refund the RLC amount from July 2008 onwards. RLC amount of Rs. 3437/- paid for the single phase connection since it is merged in three phase meter, collected RLC is required to be refunded but not refunded so far with interest vide chart enclosed. Consumer by letter dt. 23/11/10 claimed the amounts as above but the licensee did not respond. Consumer moved the I.G.R. Cell but in vain, hence the instant grievance application to direct the licensee to refund the amounts as above vide charts enclosed with interest.
- 6) Licensee filed reply dt. 05/03/11 contending that on production of original documents ASD amount will be refunded and in so far RLC on proportionate basis through the ensuing bills amount will be refunded.
- 7) So far refund of ASD and the amount of interest on refunded SD in the event of zero display, according to the learned representative for the consumer verifying the F-1 register and Firm Quotation, amount is to be

refunded as per the directions of Hon. MERC in case No. 93 of 2008. This Forum in many cases including case No. 396 of 2010 filed by representative Shri Harshad Sheth, referring the order of Hon. MERC as above clearly pointed out on payment of SD/ASD. In this context the licensee is directed verifying F-1 register, F.Q. or any other evidence in the light of the directions given by Hon. MERC to refund the amount of ASD and interest on refunded SD if not paid earlier, with R.B.I. rate of interest.

8) So far refund of RLC consumer pointed out that this amount was paid by the consumer to the licensee as loan in the difficult time of licensee during December 2003 to September 2006 @ 50 paise per unit monthly consumption. Hon. MERC in case No. 72 of 2006 clearly depicted methodology as regards refund of RLC. When the amount running in thousands i.e. Rs. 3437/- was given in difficult days, licensee is under obligation to refund the same with interest as per the directions of Hon. MERC and Ombudsman and not as per the sweet will of the officials of the licensee. This Forum in many cases including case No. 393 and 436 of 2010 filed by representative Shri Harshad Sheth in detail pointed out on this aspect.

9) While parting with the matter with regret we are constrain to mention that this Forum in many cases filed by the learned representative for the consumer Shri Harshad Sheth on same issues referring relevant orders

passed by the Hon. MERC and Ombudsman had given clear directions to the licensee, however it is unfortunate consumer had to knock the doors of this Forum repeating the same grievance. We hope officials of the licensee would honor the orders passed by the Competent Authority so that the very

purpose of enacting the act for consumers as well as the smooth functioning of the licensee would fulfill. Consumer is also cautioned that being a customer and the licensee being the custodian of the records to keep rapport so as to smoothen the transactions. It appears instead approaching the licensee consumer sitting at one place seeking help, need to be avoided. Consequently grievance application will have to be partly allowed.

- 10) Since large number of cases filed by the consumers from Vasai Circle this Forum was busy with those cases therefore delay is caused in deciding this case. Hence the order :

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

- 1) The grievance application is partly allowed.
- 2) Licensee is directed to refund the amount of ASD with R.B.I. rate of interest and interest on refunded deposit to the consumer as per the directions given by Hon. MERC in case No. 93 of 08 dated 01/09/2010 within 45 days and compliance should be reported to the forum within 60 days from the date of receipt of this decision.
- 3) Licensee is further directed to work out the amount of RLC as per the directions of Hon. MERC in case No. 72 of 2007, and Ombudsman in case No. 39 of 2006 and if collected excess, to refund the same with interest

within 45 days and compliance should be reported to the forum within 60 days from the date of receipt of this decision.

- 4) 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”.*

- 5) Consumer, as per section 142 of the Electricity Act, 2003, 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 : 27/04/2011

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

(R.V. Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan