



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. **K/E/1085/1306 of 2016-17**

Date of Grievance : 21/12/2016

Date of order : 28/12/2016

Total days : 08.

IN THE MATTER CASE OF GRIEVANCE NO. K/E/1085/1306/2016-17 IN RESPECT OF APM TERMINALS INDIA PVT. LTD. (FORMERLY KNOWN AS EXPRESS REPAIR SERVICES PVT. LTD. AT SANGRULI, TAL. PANVEL, DIST. RAIGAD (410205), REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING THREAT OF DISCONNECTION OF SUPPLY.

APM Terminals Pvt. Ltd.,
(Formerly known as Expres Repair Service Pvt. Ltd.),
At Sangruli, Tal. Pavel,
Dist. Raigad -402 205,
(Consumer No. 029509020238) (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited
Addl. Executive Engineer,
MSEDCL, Pen Circle, (Hereinafter referred as Licensee)

Appearance : - For Licensee : Absent. :
For Consumer : A.Pathani Kumar- CR

[Coram- Shri A.M.Garde-Chirperson, Shri L.N.Bade-Member Secretary and
Mrs.S.A.Jamdar- Member (CPO)].

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. Hereinafter referred as ‘Supply Code’ for the sake of brevity. Even, regulation has been made by MERC i.e. ‘Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.’ Hereinafter referred ‘SOP’ for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014’.

2] The consumer approached this Forum, apprehending disconnection on the basis of notice / letter dated 17/12/2016. As it appears that there was change of category from Industrial to Commercial. The bill of difference was drawn and given to the consumer. Some part payment was made, balance of Rs.67,83,050/- remained be paid. Consumer gave impugned letter calling upon it to pay the balance to avoid unpleasant action like disconnection. Admittedly, there is no notice issued U/s. 56(1)of the Indian Electricity Act for disconnection. Merely on apprehension this matter was entertained. Notice was given to the Licensee making observation that no disconnection can be made on the basis of letter dated 17/12/16. Licensee has not appeared today. But there appears no such action at the movement contemplated by letter dated 17/12/16. The representative of the consumer also reports that the IGRC is the seized of the matter of disputed bill and the is being heard . It is only after the order

of the IGRC in that matter, the procedure U/s. 56(1) of the Electricity Act, for disconnection if at all can be followed. It appears clear that there is no disconnection contemplated by the impugned letter dated 17/12/16. The matter being premature may be disposed off with appropriate observation in the final order.

Hence the order.

ORDER

1] The matter being premature is hereby disposed off with direction by way of caution to the Licensee not to disconnect the supply without following procedure U/s. 56 (1) of the Indian Electricity Act.

Dated: 28/12/2016.

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

(L.N.Bade)
Member Secretary
CGRF, Kalyan

(A.M.Garde)
Chairperson
CGRF, Kalyan

NOTE

- a) *The consumer if not satisfied, may file representation against this order before the Hon. 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”.*
- b) *Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or*
- c) *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”*
- d) *It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.*

