



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
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No. K/E/842/1027/2014-15

Date of Grievance: 01/01/2015

Date of order : 16/02/2015

Total days : 46 days.

**IN THE MATTER OF GRIEVANCE NO. K/E/842/1027/2014-15 of 2014-15 IN RESPECT OF NRC LIMITED, VILLAGE MOHONE, TAL. KALYAN, DISTRICT-THANE PIN- 421 102 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING REDUCTION OF CONTRACT DEMAND.**

NRC Limited,  
Village Mohone, Tal. Kalyan,  
District-Thane.

Consumer No. 020169009628 HT

.... (Hereafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Executive Engineer, MSEDCL,  
Kalyan Circle-1, Kalyan

.... (Hereinafter referred as Licensee)

Appearance : For Consumer-Shri Killedar -General Manager  
Shri Tulsidas Manager-

For Licensee Shri Lahamge- Dy.Executive Engineer,  
Shri Barambhe-Dy.Exec. Engineer  
Shri Sakpal-Accountant.

(Per Shri Sadashiv S.Deshmukh, Chairperson)

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] This grievance is brought before us by consumer on 1/1/2015. The consumer approached to Licencee on 27/11/2013, seeking reduction of contract demand from 1600 KVA to 1200 KVA. Said application received in the Office of Licencee on 28/11/2013. Consumer contended that as per the application effect should have been given as per the request, from the second billing i.e. from January 2014, but it was not given. He approached IGRC on 10/10/2014. IGRC not passed any order, hence consumer approached this Forum on 1/1/2015. He has sought direction for giving effect for reduction of contract demand, from the second billing after the date of his application and sought compensation as per SOP. Even sought resetting of bills from January 2014.

3] In this matter on receiving the grievance it's copy along with accompaniments sent to the Nodal Officer vide this Office Letter No.EE/CGRF/011 dated 1/1/2015 and was called upon to reply the grievance of consumer.

In response to it, Officers of Licencee appeared and filed reply on 2/2/2015. It is the contention of Licencee that after receiving the application of consumer dated 28/11/2013, reply was given on 29/1/2014, seeking the details from consumer, about the contract demand calculation sheet, mentioning all

details of machinery and equipment to be used in future for considering the appropriate load factor and on receipt of calculation sheet application will be processed. It is contended that said details were necessary to process the application, but those were not provided.

4] In this matter, we heard both sides at length. As noted above, consumer is coming with a case that straightway on its application, effect was required to be given towards reduction, but it is not given. As against it, Officers of Licencee maintained, they sought the details of machinery to be used in the light of reduction of contract demand sought and it was necessary to work out contract demand in the light of connected load, load factor and in absence of the details, it would not have been possible to go ahead.

On behalf of consumer, an attempt is done to contend that this letter was unnecessary and it was with intent to prolong the demand. It is further contended that information sought is not necessary and it is irrelevant, hence directions be given for reduction of load and giving effect in the record, further sought compensation as per SOP.

5] Officers of Licencee contended that when reduction is sought enclosing sheet Annexure 'IV ' and if variance is noted in it, about existing connected load and load shown in its application "A" , then position was to be reconciled which was not possible, unless clarification was given by the consumer as sought. It is pointed out that in the Annexure "IV" with the application Form "A", for reduction of contract demand consumer has shown the summary of connected load i.e. grand total of 44751 KW as against it, connected load in Form "A" is shown as 52892 KW which was existing sanctioned load. It is contended that there is no reason to deny the information by consumer and making allegation or taking a plea that it is irrelevant or not

necessary, is not correct. Accordingly, it is submitted that as soon as said details are provided or clarification is given, Licencee will comply as prayed.

6] We find as consumer has approached for seeking reduction of contract demand and if Licencee requires the information then information needs to be given if found necessary. In this regard, the differences shown in the Form "A" and in the enclosed Annexure "IV", this reflects variance. In this regard Licencee sought clarification. However, if clarification could have been given or it could have been explained, then result may have been different. It seems that consumer is bent upon to have a relief only tendering application, ignoring the communication of Licencee. It would have been other thing, if consumer would have replied that information demanded, is, unnecessary or irrelevant. Even the present stand, not communicated to Licencee, in writing, immediately on receiving the communication of Licencee.

7] CR contended that during previous occasions / applications for CD reduction, no such CD calculation sheet was demanded by Licencee.

8] It is perceived that consumer is seeking reduction in contract load. There is no any change sought for connected load, though difference is seen in the connected load shown in "A" form and in the Annexure-IV, question is, if there is no any change sought, for reduction in connected load, will it any way affect? There is no prayer for reduction or change in connected load, under such circumstances the varying figures which Licencee is trying to highlight and seeking details seems somehow incomprehensible. If there is no any such effect on connected load and then though contract demand is reduced, ultimately there may not be any effect on the consumer or there cannot be any effect even on the Licencee.

9] In respect of granting compensation towards SOP, question comes up why in time prayer of consumer is not complied. However, in the

application/letter consumer stated that there was no any further communication from Licencee but the letter dated 29/1/2014 of Licencee , was, in the hands of consumer, to which it has not replied, either or. If it would have made its stand clear, it would have kept the Licencee alert and SOP claimed from January 2014 could have gained weightage. It is also necessary to bear in mind that consumer approached Licencee on 26/11/2013, the Licencee addressed letter to consumer on 29/1/2014, consumer approached IGRC on 10/10/2014, at least IGRC could have applied the mind and could have assessed the necessity of letter dated 29/1/2014, but IGRC has not passed any order but it driven the consumer to this Forum. Hence at least this aspect needs to be considered and claim of compensation as per SOP from 10/10/2014 is to be awarded.

In the light of above submission of contract demand calculation sheet is not mandatory, but it is also not clarified/replied by the consumer and the IGRC kept the matter without hearing, hence now we decided to give the effect of CD reduction from second billing month of the date of application by consumer and compensation as per SOP from the date of application to IGRC i.e. from 10/10/2014.

Hence the order.

### **ORDER**

Grievance of consumer is hereby allowed.

Licencee is directed to give effect to the reduction of contract demand from 1600 KVA to 1200 KVA from January 2014. Accordingly, revise the bills from said date and refund excess amount recovered due to said change with interest as per Bank Rate from the date of recovery till to the date of payment. Secondly, Licencee to pay compensation @ Rs.100/- per week as per SOP to the consumer from 10/10/2014 towards not giving effect of reduction of contract demand.

Aforesaid refund and interest compensation be adjusted in the consumer's ensuing bills. Its compliance be submitted to the Forum within 45 days from the date of this order.

Dated: 16/2/2015.

I agree

I agree

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

**(Chandrashekhar U.Patil)**  
**Member Secretary**  
**CGRF,Kalyan**

**(Sadashiv S.Deshmukh)**  
**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 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”*
- c) 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.