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Consumer Grievance Redressal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S.Marg,Bhandup (W),
Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/

Date

Case No.606

Hearing Dt.16.12.2015

In the matter of extension of load power loom tariff

Shri. Jain Ghisulal Phoolchand - Applicant

Vs.

M.S.E.D.C.Ltd., Bhiwandi, TPL - Respondent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri. Anil P. Bhavthankar, Chairperson, CGRF, Bhandup.
- 2) Shri.Ravindra S. Avhad, Member Secretary, CGRF, Bhandup.
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant

- 1) Shri Shakeel S. Ansari, - Consumer Representative.

C - On behalf of Respondent No. 1

- 1) Shri. R.R.Beloskar, Executive Engineer, Nodal Office Bhiwandi.
- 2) Shri. S.K.Dhope, Assistant Engineer, Nodal Office Bhiwandi.
- 3) Mrs. Hemangi Mayekar, Assistant Manager, TPL

ORDER (Passed on 18.10.2015)

1. Above named consumer has taken connection for his power loom situated at H.No.1005/A, Panna Compound, Kalyan Road, Bhiwandi (consumer No. 13012562106). Thereafter consumer applied for extension of Load on 03.05.2015. The connection used by him for twisting and winding machine was closed since April 2012 due to labour shortage, and the use was minimum, only

for lights till January 2013. In the month of December 2014 the business was re-started vide consumer no. 13012562106 and CPL bill was continued and every this was burnt meter to given to MSEDCL and TPL on 25.04.2015. Thereafter in March 2014 consumer approached the respondent utility for change of tariff, which was not granted.

2. The consumer has alleged that though the consumer suffered loss and business was closed on account of his illness, the bill was charged against the consumer. The respondent utility has alleged that there is vigilance case and has shown wrong recovery of Rs. 27990=00 and Rs. 29526=00 for the period from 10.12.2009 to 13.03.2011. Thereafter the consumer approached the respondent utility and applied for load extension. Previously, the consumer was utilizing connected load of 10 HP for running 16 looms. Now he want to enhance the connected load to 32 HP for running 32 looms. But the said application was rejected.
3. Though the consumer was directed to comply requirements for obtaining extension load application, he filed complaint before IGRC. On 23.06.2015 IGRC issued notice for hearing but the consumer did not appear.
4. Thereafter on 26.08.2015 he filed complaint before this forum. It appears that complaint is filed by this consumer under the impression that the IGRC has not decided his complaint within 2 month. Therefore this Forum entertained the complaint and issued notice to respondent utility on 06.10.2015. Respondent utility filed reply and stated that earlier connection of consumer to the service no 13013482718 was existing in the same premises and there are two vigilance cases pending for recovery. Even the consumer is booked earlier vigilance case under section 126 E.A. 2003. The site inspection memo No. 082884 dtd.10.09.2009 was issued to representative Narayan Sigh Mehra and second case was booked on 03.12.2011 u/s135 E. A. On inspection site memo No. 05323 was issue to present consumer. During the inspection, on service connection no 13012130393 and 13012160407 it was found that there are

outstanding dues of MESDCL. As on the same premises there are vigilance case pending and also a huge recovery case used for same premises are pending and there are large recovery of amount. Even the earlier consumer was booked u/s 135 and 126 charge of unauthorized shifting of meter and arrears are found in dues against multiple consumer occupied in same premises in view of the fact an circumstances the application of extension of load rightly rejected order by utility.

5. Stating that grievance made by the consumer is false, the utility has further submitted that there is non compliance of mandatory requirements for extension of load. Also there are recovery and vigilance cases pending on same premises.. Thus in these circumstances load extension application is liable to be dismissed.
6. We heard arguments of consumer and his representative Shri. Shakakeel Ansari and also verified reply filed by TPL, documents filed by the consumer, receipts, zerox copies filed earlier, receipts filed by the consumer (No.ROM/MH/BH/2011/53313) etc. Document filed does not have any date or signature on it to authenticate the fact of 32 looms being run at the said premises.
7. We have called for survey report, letter of compliance and intimation dated 09.12.2014 to verify that there is recovery of multiples service connection dues along with theft and vigilance case pending on the same premises.
8. We are of the opinion that in such circumstances, unless this consumer complies with the requirements as per intimation letter and clears all earlier dues which are on the same premises, load extension demanded is likely to be misused. Utility has already taken action. Thus, we hold that this consumer complainant is not entitled for extension of load from 10 HP to 32 HP unless he fulfils all the terms and conditions specified under the Rules and Regulations. Extension can be given only on compliance of all requirements.

9. We therefore hold that application for extension of load filed by the consumer cannot be allowed. Hence we are not inclined to the grant any relief. Therefore application filed by consumer stands dismiss.

Hence, we proceed to pass following order.

ORDER

1) Consumer complaint 606/2015 stands dismissed.

No order as to cost.

Both the parties should be informed accordingly.

Proceedings closed.

The compliance should be reported within 45 days.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

Note:

1) If Consumer is not satisfied with the decision, he may file representation within 60 days from the 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 file representation before the Hon. High Court within 60 days from receipt of the order.

(I Agree/Disagree)

(I Agree/Disagree)

DR. ARCHANA SABNIS
MEMBER
CGRF, BHANDUP

SHRI. ANIL P. BHATHANKAR
CHAIRPERSON
CGRF, BHANDUP

SHRI. RAVINDRA S. AVHAD
MEMBER SECRETARY
CGRF, BHANDUP