

**Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup**

Ref. No. Member Secretary/MSEDCL/CGRF/BNDUZ/

Date :

In the matter of excess recovery of S.C.C.

Case no. 484

Hearing Dt. 14/03/2013.

Shri S.G. Bedre - Applicant

Vs.

MSEDCL, Panvel Division - Respondent

Present during the hearing

A] - On behalf of CGRF, Bhandup

- 1) Shri S.K. Chaudhary, Chairman, CGRF Bhandup.
- 2) Shri R.M Chavan, Member Secretary, CGRF, Bhandup.
- 2) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B] - On behalf of Applicant

- 1) Mr. S.G. Bedre – Consumer.

C] - On behalf of Respondent

- 1) Shri S.G. Kachare Nodal Officer, Vashi Circle.
- 2) Shri S.B. Kathale Dy. Ex. Engr. Kalamboli S/divn.
- 3) Shri S.G. Jadhav Dy. Ex. Engr. Panvel-I S/divn.

Shri S.G. Bedre is a License Electrical Contractor, having an office at Modern Classic building, shop no. 9, plot no. 138/139, 'B' wing, Kalamboli, Navi Mumbai. As per his statement he has executed the electrical infrastructure work under DDF scheme of M/s. Sadguru Developers and M/s. Bhoomi Corporation who paid supervision charges i.e. 1.30% of cost of estimate and labour to the utility. He further stated that the both the parties i.e. M/s. Shri Sadguru Developers and M/s. Bhoomi Corporation has an agreement with him to carry out the work of infrastructure and accordingly he has done that job under supervision of utilities staff.

He further reiterated that, the utility has recovered forcefully the service connection charges apart from 1.3% of supervision charges in case of M/s. Bhoomi Corporation, Plot no. 18/18A, Sector-14, Kalamboli, Navi Mumbai. He put forth the similar cases i.e. M/s. Shree Raj Land Developers of Kalamboli, Navi Mumbai, where both S.C.C. and 1.3% of estimated cost towards the supervision charges are recovered. In fact he referred the number of similar cases in the same grievances and claimed for its refund.

On behalf of utility, the Nodal Officer Shri S.G. Kachare, Executive Engineer, Vashi Circle and Shri S.B. Kathale and Shri S.G. Jadhav, Dy.Ex. Engr., were present to represent the case; They stated that the quotation issued in case of M/s. Dhanashree Developers and thereby excess amount paid ₹ 13,000/- towards S.C.C. for temporary connection will be refunded while finalizing its bill the same is confirmed to M/s. Dhanashree Developers by written communication.

They further explained that in case of DDF scheme only 1.3% supervision charges are recovered and no S.C.C. are claimed to the consumer in case consumer opted for carrying out the work at their won cost.

However, if the work is carried out under non-DDF.C.C.R.F. scheme the amount of expenditure over the infrastructure is refunded through consumers bill and the normative service connection charges are claimed.

The matter was heard on 14/03/2013 both the parties were present, the documents on record and arguments during the hearing reveals that, shri S.G. Bedre is neither consumer nor authorized representative to file the grievance and represent the cases hence he has no locus standi to claim the refund of excess S.C. charges paid, if any. Moreover, while filling the grievance in the schedule 'A' form, the name of consumers was not mentioned instead he mentioned himself as a consumer.

It was also observed by the Forum that in the submission, the Applicant filed the grievances of three different consumers together on behalf of himself. However the separate individual grievances should have been filed by the consumer. There is no provision in the Regulation to submit as collective representation on behalf o several consumers.

In the submission, Forum find many issues mentioned in the grievances are irrelevant hence as per MERC Regulation 2006 therein Regulation 6.9, this Forum dismissed the prayer being frivolous, vexatious and with malafide intension.

ORDER

Being Shri S.G. Bedre has no locus standi¹ to file grievance as a consumer and has not been authorized to represent by any consumer and being file many consumers grievances collectively through a single application on his behalf and the many issues raised are irrelevant to the case, with frivolous , vexatious and malafide intension. This Forum dismisses the case with no order as to cost.

Both the parties be informed accordingly.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 18th of March 2013.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal within 60 days from 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 proceed before the Hon. High Court within 60 days from receipt of the order.

DR. ARCHANA SABNIS
MEMBER
CGRF, BHANDUP

S. K. CHOUDHARY
CHAIRMAN
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP