



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
Ph: – 2210707 & 2328283 Ext: - 122

**IN THE MATTER OF GRIEVANCE NO.K/E/111/0126 OF 07-08 OF M/S  
PRASHANT ENGINEERING WORKS REGISTERED WITH  
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE  
KALYAN ABOUT EXCESSIVE ENERGY BILL.**

M/s Prashant Engineering Works

(Here in after

G-10, Asha Heavy Industrial Estate

referred to

Nr. AVS Vidya Mandir,

as consumer)

Veer Savarkar Marg,

Virar (E) – 401305

**Versus**

Maharashtra State Electricity Distribution

(Here in after

Company Limited through its

referred to

Deputy Executive Engineer,

as licensee)

Virar (E) Sub Division, Virar.

- 1) Consumer Grievance Redressal Forum has been established under regulation of "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 conformed 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 connected to their 415-volt network. Consumer is billed as per Industrial tariff. Electricity bill stands in the name of M/S Prashant Engineering Works. The Consumer registered grievance with the Forum on dated 28/01/2008.

The details are as follows: -

*Name of the consumer: - M/S Prashant Engineering Works*

*Address: - As above*

*Consumer No: - 001521082832*

*Reason of dispute: -Excess load recovery.*

- 3) The batch of papers containing above grievance was sent by Forum vide letter No. 021 dated 28/01/2008 to Nodal Officer of licensee. The letter replied by licensee Vide letter No. EE/VC/ICGRF/Vasai circle/1322 dated 14/02/2008.

- 4) The Member Secretary & Member of the Forum heard both the parties on 14/02/2008. Shri J. M. Gavde, Shri P. J. Gavde, Shri A. R. Vaidya,

Consumer & Consumer representatives are Shri Ravi Anand, Shri S.W. Deshmukh, Smt. A. S. Londhe and Shri S. P. Rajguru Nodal Officer, Shri S. K. Pillai Deputy Executive Engineer, Shri A. B. Patil (LDC) representatives of the licensee attended hearing.

- 5) Consumer repeated his grievance.
- 6) Consumer installation was checked by licensee on dated 13/01/2000. At the time of inspection licensee found 98.75 H.P. load say 99 H.P. against which sanctioned load was 67 H.P. & found 32 H.P. excess load. The inspection report was signed by consumer and he

accepted it. Consumer said that he didn't receive the energy bill for the month of November 2007.

- 7) As per inspections report of J.E. Quality control based on the circular 31 (e), the excess load penalty of Rs. 3,45,432/- was charged for the period February 1997 to January 2000 to consumer & same was intimated to consumer vide letter no. AE/VR/B09/1081 dated 09/03/2000
- 8) The Consumer said that all his machines were not connected to circuit & hence denied to pay the excess load recovery charges. He also refused to identify the signature of receipt of recovery letter dated 09/03/2000. The consumer further stated that for solving his grievance he met various officer's of licensee but he didn't get any response from them.
- 9) As the excess load penalty charges were not acceptable to the consumer he didn't pay these charges and hence his supply was disconnected on 27/12/2000 by giving 7 days notice letter no. 4253

dated 19/10/2000. To resume his power supply he paid an amount of 30,000/- on 20/12/2000 under protest.

10) Based on the approval of competent authority for revision bill as under:-

(a) Bill for excess load penalty for period February 1997 to January 2000. For Rs. 2,99,532/- (instated of amount already charged dated 09/03/2000 i.e. Rs. 3,45,532/-) & against this consumer paid Rs. 30,000/- under protest (2,99,532 – 30,000), hence net bill amount remains 2,69,532/-.

(b) The licensee also issued of second bill Rs. 1,63,450/- dated 27/12/2007. This bill includes penalty of excess load for period

February 2000 to July 2001+ remaining regular energy consumption bill up to November 2007.

11) As per inspection of licensed electrical contractor the load was found 68 H.P. for this consumer submitted test report to the licensee dated 23/07/2001. After submission of test report (i.e. on dated 23/07/2001) by consumer the licensee waived excess load penalty amount and interest amount for the period August 2001 to November 2007.

12) Although the licensee is right in levying the above charges the period of 7 years taken by licensee for the B-80 shows the inefficiency on the part of licensee.

13) As the case is seven years old and the only evidence available is inspection report dated 13/01/2000 of the licensee. The consumer didn't present any evidence from his side therefore the judgment is based on only inspection report.

14) In the above circumstances the forum is inclined to pass the following

Order unanimously.

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

1) The two revised bills charged by licensee on 27/12/2007 are correct and valid. For this reference Maharashtra State Electricity Regulatory Commission (MERC) Case No. 2 of 2003 dated 14/07/2005, Clause No. 33(e)(1) read as : -

(e) Assessment for violations would differ depending on the period of occurrence and its corresponding tariff and loads, as follows:

(1) “ *Period prior to 10<sup>th</sup> June 2003 i.e. prior to EA, 2003): As per Clause 31(e) of MSEB’s Conditions of supply. ”*

2) The claim of consumer to grant Rs. 15,000/- towards expenses as per regulation 8.2 (2) of CGRFO 2006 is completely disapproved.

3) Consumer can file appeal against this decision with The Electricity Ombudsman at the following address.

Maharashtra Electricity Regulatory Commission, 606/608,

Keshav Building, Bandra Kurla Complex, Mumbai 51

Appeal can be filed within 60 days from the date of order.

**Date: - 26/03/2008**

**(Sau V. V. Kelkar)**

**(R.V.Shivdas)**

**Member**  
**CGRF Kalyan**

**Member Secretary**  
**CGRF Kalyan**