



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/280/308 OF 2009-2010 OF M/S. ANAND PLASTIC, VASAI, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE BILLING.

M/s. Anand Plastic
Kaveri, Tungreshwar Industrial Complex
Village-Sativali
Vasai (E) Tal : Vasai, Dist. Thane.

} (Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer
Vasai Road (East) Sub-Dn.
Vasai, Dist. Thane.

} (Here-in-after
referred
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under "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-V > 20 KW consumer of the licensee with C. D. 54 KVA. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 15/07/2009 for refund of amount of Security Deposit with interest and installments of RLC amount in respect of 1 phase commercial P.D. connection with consumer No.002170271150. The details are as follows: -

Name of the consumer :- M/s. Anand Plastic

Address: - As given in the title

Consumer No : (i) PD connection with con. No. 002170271150.

(ii) LT-V Con. No.002170271141

Reason of dispute: For refund of amount of Security Deposit with interest and installments of RLC amount in respect of 1 phase commercial P.D. connection with consumer No.002170271150.

- 3). The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/739 dated 15/07/2009 to Nodal Officer of licensee. The licensee through Dy. Executive Engineer MSEDCL Sub/Dn. Vasai Road East filed reply vide letter No. DYEE/VSI/B/6056 dated 04/08/2009.

- 4) The consumer has raised these grievances before the Chairman, IGRC MSEDCL., Vasai Circle, Vasai (East) and the Executive Engineer (O&M) Division, MSEDCL, Vasai Division, on 08.06.2009. The said Internal Redressal Cell and the Executive Engineer did not send any reply resolving the said grievances to the consumer. Therefore, the consumer has registered the present grievance before this forum on 15/07/2009.
- 5). The Forum heard both the parties on 04/08/2009 @ 16.00 Hrs. in the meeting hall of the Forum's office. Shri Harshad Sheth, representative of the consumer & Shri R.G. S.B.Hatkar, Asstt. Acctt. representative of the licensee, attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record. Submissions made by each party in respect of each grievance shall be referred while deciding each of the grievances to avoid repetition.
- 6). The following grievances raised by the consumer in its letter dated 25/04/09 sent to the concerned IGRC and Executive Engineer of which copy the consumer has attached with the grievance made before this forum, arise for consideration, and considering the reply dtd. 18.07.09 filed by the licensee, record produced by the parties, and submissions made by the parties, the finding or resolution on each of such grievance is given against it, for the given reasons.

- 7). As to grievance No. (1): – Regarding refund of SD & interest on SD in 1 phase commercial connection with consumer No.002170271150 : The consumer claim that the above referred 1 phase electric connection at the unit of the consumer is already permanently disconnected and therefore the licensee be directed to refund SD of Rs.2160/- together with interest @ 6% per annum. The consumer vide rejoinder 16.6.09 further claimed that the licensee also collected SD of Rs.1000/- from it on 15.4.96 in the said PD 1 phase connection and therefore the licensee be also directed to refund the said amounts of SD together with interest of Rs.713/-. The consumer has further claimed in the same rejoinder dt. 16.6.09 that the licensee also collected SD of Rs.8000/- on 15.4.96 in the IP connection and therefore the licensee be directed to refund the same of Rs.8000/- together with interest of Rs.5703/-. The consumer has further prayed that above referred amounts of SD together with interest be credited into the account of LTV connection with consumer No.002170781867 in the name of Shri Sarvottam Damani. As against this, the licensee claims that the electricity connections with consumer Nos. IC-351-002170271150 PC-8 and IP-350-002170271141 PC-0 have been disconnected permanently and the SD of Rs.1000/- and Rs.8000/- in the said connections respectively together with interest will be refunded to M/s. Anand Plastic Caveri on production of original receipts. The copy of the bills for the months July, June and May 07 shows that the

consumer No.IC-351-002170271150 stands in the name of the consumer i.e. M/s. Anand Plastics. Copy of details of consumer No.002170271250 also shows that the said connection was standing in the name of M/s. Anand Plastic and was permanently disconnected. The licensee admit that the electric connection with consumer No.IP-350-002170271241 has also been permanently disconnected. The licensee does not dispute that the said connection was standing in the name of consumer M/s. Anand Plastic. The licensee has no locus-standy to deny the request of the consumer to transfer the SD amounts with interest in the above referred PD connections, to the account of consumer No.002170781867 stand in the name of Shri Sarvotham Damani. Therefore the objection of licensee is not accepted. The licensee is directed to transfer the total SD in the electric connections with consumer Nos. IC-351- -002170271150 and IP-350-002170271141 PC-0 together with accrued interest at the prevailing rate into the account of consumer No. 002170781867 standing in the name of Shri Sarvottam Damani by crediting the same in its bill of ensuing month after period of 30 days from the date of this decision.

- 8). As to grievance No. (2) – Refund of RLC installments in respect of 1 phase PD connection with consumer No.002170271150: -
The consumer claims that the consumer has also contributed RLC from Dec.03 to Sept.06 in the above referred electric connection @ Rs.10,000/- and therefore the licensee is liable to

refund the same in 58 installments as directed by MERC and therefore the licensee should confirm about it and give the copy of CPL for verification to the consumer. As against this, the licensee claims that the CPL for PD consumers is not displayed due to system error and therefore it could not give copy of CPL to the consumer. It is an admitted fact that the MERC has directed to refund the RLC amounts to the consumers in 58 installments. Therefore the licensee is directed to verify as to whether the consumer with consumer No. 002170271150 has contributed RLC and if so refund the due amount of RLC installments as directed by MERC by crediting the same in ensuing bill of consumer No.002170781867 standing in the name of Shri Sarvottam Damani, and go on crediting further RLC installments into the account of consumer No. .002170781867 standing in the name of Shri Sarvottam Damani, till completion of the refund.

- 9). In view of the findings on the grievances of the consumer as above, the forum unanimously passes the following order.

O-R-D-E-R

- 1) The grievance application is allowed.
- 2) The licensee to comply the directions given in above para Nos. 07 and 8.

3) The Compliance should be reported to the forum within 90 days from the date of decision.

4) The Consumer can file representation against this decision with the Ombudsman at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Building, Bandra Kurla Complex, Mumbai 51”

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

5). Consumer, as per section 142 of the Electricity Act, 2003, can approach Maharashtra Electricity Regulatory Commission at the following address:-

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

for non-compliance, part compliance or delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006”

Date : 31/08/2009

Mrs. V.V.Kelkar,
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(M.N.Patale)
Chairman
CGRF Kalyan