

MAHARASTRA STATE ELECTRICITY BOARD
KALYAN ZONE, KALYAN

Phone 1) 2210707
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Office of the Consumer
Redressal
Behind Tejashri,
Cherwanji Road,

Ext-122.

IN THE MATTER OF GRIEVANCE NO. K/E/011/0013 OF 05-06
OF M/S VANDANA ENTERPRISES REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN
ZONE, KALYAN ABOUT THE CHARGES LEVIED FOR EXCESS
CONNECTED LOAD BY LICENSEE

M/S Vandana Enterprises (Here in after
Gala No 2, Plot No 10, Survey No .46 referred to
Village Asangaon, Mumbai Nasik as consumer)
Highway, Tal: Shahpur

Versus

Maharashtra State Electricity Board, through its (Here in after
Assistant Engineer, referred to
Shahpur Sub Division, Shahpur as licensee)

1) Consumer Grievance Redressal Forum has been established under regulation of "Maharashtra Electricity Regulatory

Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” 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 L.T. consumer of the licensee connected to their 415-volt network using energy for industrial purpose. Consumer disputed charges levied by the licensee in his bill of September 2001 for excess connected load than sanctioned, and penalty, DPC, interest levied in subsequent bills. The consumer has registered his grievance with forum on 21/4/2005. The details are as follows.

Name of the consumer: - M/S Vandana Enterprises

Address same as above

Consumer Nos: - 210118208573

Disputed amount: - Rupees Three lakhs three thousand four hundred fifty nine (Rs 3,03,459) only, for connected load found to be 78 H.P as against sanctioned load of 67 H.P. & DPC, Interest, & Penalty of Rupees Sixteen thousand two hundred sixty seven (Rs16,267), Rupees Forty two thousand one hundred fifty one (Rs 42,151), & Rupees Six thousand six hundred (Rs 6600) respectively.

- 3) The batch of papers containing above grievance was sent by forum vide letter no. 157 dt. 21st May 2005 to Nodal Officer of licensee. The letter was replied by Nodal Officer vide letter no. 1073 dt.24th May 2005.

- 4) Two members present on 26th May 05 heard both the parties from 15 hours to 16 hours in the meeting hall of the forum's office. Shri Navin Dharod, Shri S.W.Deshmukh & Shri Arjun Aryal, represented the case of consumer. Shri H. K. Randive Nodal Officer; Shri S. M. Jadhav Assistant Engineer & Shri S. M. Wishe LDC of licensee represented the case for licensee.
- 5) Shri Navin Dharod, submitted that the flying squad of licensee visited their premises on 30th December 2000 & noticed that the connected load was 78 HP as against sanctioned load of 67 HP. He said that based on this observation licensee charged him in September 2001 Rs.3,03,459/- He further stated that he paid Rs.60700/- (20% of Rs.3,03,459/-) on 23rd September 2001. He further submitted that he protested flying squad observation of 78 HP connected load at his premises and based on this Superintending Engineer (Kalyan) of licensee issued an order in their favor on 24th April 2002 withdrawing the assessment of 3,03,3459/-. He further stated that this amount, DPC, interest and penalty levied on excess connected load and penalty levied for non-provision of capacitor has not yet been withdrawn from his bill.
- 6) Shri Randive, Nodal Officer submitted that the amount of Rs.3,03,459/-. D.P.C., interest and penalty levied for connected load has already been credited in the consumers bill in billing months of March 2003, June 2003 and December 2004. He further stated that penalty for non-provision of capacitors has not been levied as capacitors were found in working condition

at the time of inspection by flying squad on 30th December 2000.

- 7) Shri Navin Dharod, could not reconcile this figure with his books of account and requested forum to give some time to reconcile this figure as per licensee's record.
- 8) Nodal Officer agreed to supply within 2 days necessary documents to enable him to reconcile figure with consumer's books of account.
- 9) Forum requested Nodal Officer to submit following documents to the forum on 2nd June 2005.
 - (i) Debit note showing amount Rs.3,03,459/- in September 2001. Interest of Rs.4215/, DPC of Rs 16,267/- and penalty of Rs.6600/- levied to the consumer showing period of levy of these charges.
 - (ii) Credit note showing withdrawal of amount mentioned in para (i) above.
 - (iii) Copies of CPL reflecting this debit in the month of September 2001 and credit in months of March 2003, June 2003 and December 2004 respectively.
 - (iv) Flying squad report dt.30th December 2000
- 10) Following table shows the amount debited to the consumer account and credit passed on to his account

DEBIT			CREDIT	
Reason of charging	Billing Month	Amount In Rs.	Billing month	Amount In Rs.
Charges against	September	3,03,45	March	3,10,05

excess load	2001	9	2003	9
D.P.C.	9/01 to 2/03	16,267	June 2004	56971
Interest	11/01 to 2/03	42,151	December 2004	8047
Penalty on excess connected load	8/01 to 12/01	6,600/-		
TOTAL		368477		375077

- 11) It is seen from the above table that excess amount Rs.6600 has been credited by the licensee to the consumer's account. The licensee can recover this amount from the consumer.
- 12) On going through the papers, it is seen that Superintending Engineer, Kalyan of licensee has passed the order of withdrawal of assessment on 24th April 2002. The file was gathering dust and no action was taken by the staff of the licensee on the said order till March 2003. This shows dereliction of duties on the part of the concerned staff of the licensee in not implementing the order of their superiors. This delay on the part of the staff calls upon for taking disciplinary action against the concerned staff as per service condition of the licensee.

O- R- D- E- R

- 1) The licensee can recover Rs.6600 credited to the consumer's account in the next billing cycle.

- 2) The licensee shall initiate departmental proceedings against the concerned staff for dereliction of duties within 60 days from the date of this order.
- 3) The licensee shall intimate compliance to the forum as soon as the action is initiated against the concerned person.
- 4) Consumer can file appeal against this decision with the 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.

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

Maharashtra Electricity Regulatory Commission, 13th floor,
World Trade Centre, Cuffe Parade, Colaba, 400005.

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"

Date: - 6/6/2005. cSONVUMER

(V.V.Kelkar)

(I.Q.Najam),

Member

Chair person

CGRF Kalyan

CGRF Kalyan