



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/N/026/322 OF 2009-2010 OF
M/S. TINCO INDUSTRIES, BADLAPUR REGISTERED WITH CONSUMER
GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT
RELEASE OF ADDITIONAL LOAD.

M/s. Tinco Industries
Plot No. F-26,
MIDC Industrial Area
Badlapur – 421 503, Dist.: Thane

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer
Badlapur East Sub-Dn.

(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 conferred 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 with Connected Load of 65 HP. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 21/08/2009 for Release of additional load. The details are as follows: -

Name of the consumer :- M/s. Tinco Industries

Address: - As given in the title

Consumer No : - 021540098732

Reason of dispute: Release of additional load.

- 3). The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/733 dated 21/08/2009 to Nodal Officer of licensee. The licensee filed reply vide letter No. EE/KLN/R/Tech/5452, dated 16/09/2009.
- 4) The original hearing in the above matter was scheduled to be held on 10/09/08 at 16.00 hrs. But the same is postponed on 16/09/09 at 16.00 hrs.
- 5). The following grievance registered by the consumer in its grievance application dated 21/08/09 with this Forum.
- 6) The consumer applied for additional load of 42 HP above the existing load of 65 HP making a total of 107 HP vide it's application No. Tinco Industries-001-BDL, dt. 07/08/2006. The consumer followed personally with the licensee for obtaining the sanction order and payment advice within the stipulated period of one month. Since there was no response from

licensee, the consumer referred the matter to the Nodal Officer vide letter No. 008-BDL, dt. 31.10.06. The licensee issued a Firm Quotation/Demand Note bearing Sr. No. 149, dt. 13/11/2006 but the sanction order was not issued to the consumer. The consumer personally visited licensee's office and also issued a letter dt. 26/12/06 stating that they have already paid the amount of Rs. 39,700 as advised in the Firm Quotation/Demand Note bearing Sr. No. 149, dt. 13/11/2006. After depositing the amount of Rs. 39,700, the consumer submitted letters dt. 11/01/07 and 12/02/07 to the licensee. The consumer received a copy of letter No. 2484, dt. 15/05/08 issued by Executive Engineer, Kalyan Rural Division demanding for compliance from Dy. Executive Engineer, Badlapur (East) as follows :

- a) C.T. Test Report by Testing Division is not enclosed.
 - b) Agreement form duly signed by Directors in presence of Executive Engineer is not enclosed.
- 7) After receipt of above referred letter, the consumer requested licensee vide letter No. 018-BDL, dt. 03/06/08 for execution of Agreement. Since there was no response from licensee, again consumer approached to Nodal Officer vide letter No. 019-BDL, dt. 17/03/09. The consumer completed all formalities i.e. submission of Test Certificate of C.T. by the Dy. Ex. Engr., certified by the Testing Division, deposited Rs. 200 for agreement, but licensee has failed to release the additional load to the consumer. As the consumer made an application for sanction order/firm quotation on 07/08/06 and firm quotation without sanction order was granted on 18/11/06, hence the consumer is entitle for compensation as per Section 43 of the Indian Electricity Act 2007.

- 8) The consumer has also prayed for grant of compensation of Rs. 66,000 towards delay in releasing the additional load, to cover the cost of consultant's fee, stationary, travel and mental trauma, loss of production, loss of ideal time for the machines, loss of market etc.
- 9) The consumer M/s. Tinco Industries vide letter dt. 09/09/2009 (which is received by this Office on 09/09/2009) has given his consent to the Forum that "We have received release order for additional load of 42 HP for our factory at Plot No. F-26, MIDC Badlapur. Also we have received release order to additional load of 50 HP for our factory named Tinco Chemicals, Plot No. W-70/B MIDC Badlapur. During last month we have got excess KVA MD penalty for M/s. Tinco Chemicals. Prior to that our requirement of power want not so high. So through the additional load was sanctioned for above two factories we were not in so much need to release the additional load and that's why due to misunderstanding we submitted grievance to your good selves. Now we are satisfied and there is no complaint of release of power. We are herewith withdrawing our grievance about release of additional load in name of M/s. Tinco Industries case No. K/N/026/322." ...Signed by Consumer Representative.
- 10) Similarly, the licensee i.e. Executive Engineer Kalyan Rural Division also submitted consent as per 2nd para of his letter No. EE/KLN@/Tech/5452, dt. 16/09/09 (which is received by this Office on 16/09/2009), that "an additional Transformer of capacity 315 KVA have been erected and commissioned near M/s. Tinco Industries and now the additional load of 42 HP can be released. The consumer have signed the agreement on dt. 05/09/2009 and the release order have been issued vide letter No. EE/KLN@/Tech/R-LS-LT/5235, dt. 05/09/2009. The release order of

additional load of 50 HP have been issued in case of M/s. Tinco Chemicals, Plot No. W-70 B, MIDC Badlapur, which is sister concern. The consumer have now agreed to withdraw the grievance and have submitted a letter dt. 09/09/2009. Hence it is humble request before the Hon. Forum to withdraw the grievance of the consumer.....Signed by Ex. Engr. Kalyan ® Division.

- 11) Thus both the parties solved the grievance by mutual understanding before conducting the hearing on 16/09/2009 at 16.00 hrs. and submitted letters to that effect as above, hence no order is passed by this Forum

Date : 22/09/2009

(Sau V. V. Kelkar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan