



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

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**IN THE MATTER OF GRIEVANCE NO. K/E/299/329 OF 09-10 OF M/S DELTA WIRE VILLAGE AMGAON, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL.**

M/s. Delta Wire  
Plot No. 72 and 74,  
Village : Amgaon,  
Tal : Talasari, Dist : Thane

(Here in after  
referred to  
as Consumer)

**Versus**

Maharashtra State Electricity Distribution  
Company Limited through its  
Superintending Engineer, Vasai Circle

(Here in after  
referred to  
as Licensee)

- 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 (MERC) 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 H.T. consumer having connected load of 197 KW of the Licensee. The Consumer is billed as per Industrial tariff. The consumer registered grievance with the Forum on 09/09/2009 regarding excessive energy bill. The details are as follows: -  
Name of the consumer : M/s. Delta Wire  
Address: - As above  
Consumer No : 007549025330  
Reason for Dispute : - Regarding Excessive Energy Bill
- 3). The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/796, dt. 09/09/2009 to the Nodal Officer of the Licensee, and the Licensee through Nodal Officer MSEDCL Vasai Circle filed reply vide letter No. Nil, dt. 30/10/09.
- 4) The Chairperson & Member Secretary of the forum heard both the parties on 05/11/2009 @ 16.00 Hrs. in the meeting hall of the Forum's office. Shri S. W. Deshmukh, Shri S. S. Mirje, Shri Nuruddin Keshwani, Shri Ravi Anand, representatives of the consumer & Shri S. J. Mungare, Nodal Officer, Shri M. L. Kanitkar UDC, representatives 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 the parties in respect of grievance since already recorded will be referred to avoid repetition.
- 5). According to the CR the Superintending Engineer Vasai Circle vide letter No. 01342, dt. 06/03/06 sanctioned additional power supply at 11 KV to his factory at Village Amgaon vide his application dt. 01/02/06, existing load was then 197 on 150 KVA and the additional load was sanctioned 185 on 47 KVA and accordingly consumer submitted test certificate complying the all formalities, and accordingly additional load was

released by the licensee. It is contention of the consumer that licensee should have sent electricity consumption bill as per revised power supply of electricity. However, bills continued to be sent as per old sanctioned load resulting in imposing penalty in the bills. Consumer pointed out the same to the licensee and later on appraise the same vide letter dt. 11/12/07, 14/05/09 but not complied. Consumer thereafter approached the IGRC but in vain. Consequently consumer lodged the instant grievance.

- 6) Licensee vide their letter dt. 28/10/09 contended that additional load released to the consumer as above was not updated to the system due to non receipt of release report i.e. T.M.-2 from the Talasari Sub-Division. According to the licensee additional load was released on 21/04/08 however, since that was not fed to the computer, the bills continued to be sent as per the old data and due to which penalty was imposed. They have pointed out that in the month December 2008 Rs. 5724/- , Jan. 09 Rs. 4054/-, Feb. 09 Rs. 1431/-, Mar. 09 Rs. 5724/-, Apr. 09 Rs. 4770/-, May 09 Rs. 6439/-, June 09 Rs. 8109/- totaling Rs. 36252/- were recovered from the consumer and the same needs to be refunded.
- 7) On perusal of the record and hearing both the parties following points arise for the consideration of Forum and findings thereon for the reasons recorded below :

Points	Findings
a)Whether licensee justified in recovering of Rs. 36,252/- as excess amount ?	NO
b)Is it necessary to direct licensee to rectify the bills with effect from December 2008, feeding correct data to computer ?	Yes
c) What Order ?	As per order below

- 8) On perusal the order of S.E. Vasai Circle dt. 06/03/07 consumer was sanctioned additional power supply to his factory at village Amgaon on the conditions mentioned therein. By this order additional supply of 185 KW on 47 KVA thereby the total connected load was 382 KW on 197 KVA, however, it seems on one or the other ground additional load could not be released and that it was released in the month of April 08 and that this was not fed to the computer for the reasons mentioned in the noting of the Assistant Accountant Vasai Circle dt. 30/10/09. As per the letter of the Asstt. Engr. Talasari and the chart enclosed therewith dt. 28/10/09 clearly indicates the position on the excess amount received from the consumer towards penalty for not feeding actual data to the computer. This amount as stated above comes to Rs. 36,252/-. CR agreed to the amount shown in this chart. On going through the documents produced on record clearly indicate amount shown as excess was towards penalty and since this penalty amount was recovered due to non feeding of information to the computer, the licensee is liable to refund the amount to the consumer. It is further necessary to direct the licensee to feed the correct data to the computer as per record and to issue correct bills in future to the consumer. Consequently grievance application will have to be allowed.
- 9) As per MERC Regulation 2006, Section 5.1 Forum has to decide the grievance within a period of two months from the date of receipt of grievance. This grievance was received to this Forum on 09/09/09. However, Hon. Member of the Forum Mrs. V. V. Kelkar retired on 08/10/09 and the Hon. Chairperson resigned on 03/09/09. Present Chairperson took charge on 20/10/09. The Member Secretary was deputed for Training at Chennai for a week. Due to insufficient strength of the Forum and the

reasons given above, the instant reference could not be decided within the stipulated period.

**ORDER**

- 1) Grievance application is hereby allowed.
- 2) Licensee is directed to display the correct figure on the bills in future feeding correct information to the computer.
- 3) Licensee is directed to adjust excess amount Rs. 36,252/- received from consumer in his ensuing bills.
- 4) The Compliance should be reported to the forum within 60 days from the date of this decision.
- 5) 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.

- 6). Consumer, as per section 142 of the Electricity Act, 003, 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 2003”

Date : 26/11/2009

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan