



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/309/346 OF 09-10 OF M/S TUNGABHADRA HOLDING (P) LTD. MURBAD, DIST : THANE REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT REFUND OF WRONGLY COLLECTED ASC CHARGES WITH INTEREST.

M/s. Tungabhadra Holding (P) Ltd.
Survey No. 440/441,
Village : Kakadpada, Murbad-Karjat Road,
Murbad, Dist : Thane

} (Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Superintending Engineer, Kalyan Circle - II

} (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 of the Licensee. The Consumer is billed as per Industrial tariff. The consumer registered grievance with the Forum on 21/11/2009 regarding Refund of wrongly collected ASC charges with interest. The details are as follows: -

Name of the consumer : M/s. Tungabhadra Holding (P) Ltd.

Address: - As above

Consumer No : 018019050270

Reason for Dispute : - Regarding Refund of wrongly collected
ASC charges with interest.

- 3). The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/930, dt. 21/11/09 to the Nodal Officer of the Licensee, and the Licensee through Nodal Officer MSEDCL Kalyan Circle-II filed reply vide letter No. SE/KCK-II/Tech/4627, dt. 11/12/09.
- 4) The Forum heard both the parties at length on 14/12/2009 @ 16.00 Hrs. in the meeting hall of the Forum's office. Shri Mantry & Shri O. P. Sharma, representatives of the consumer & Shri B. R. Mudliyar, AE, Shri Garg, A.A. 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). By the order dt. 19/01/09 in case No. 166 of 2008-09 in the case M/s. Tungabhadra Holding Pvt. Ltd. V/s. MSEDCL CGRF Kalyan ordered that all Additional Supply Charges wrongly recovered by licensee from consumer should be adjusted in the ensuing current bills (with interest and DPC if recovered by licensee). Since this order was not complied with by MSEDCL, consumer M/s. Tungabhadra made petition for compliance of the same to the MERC. According to consumer during the hearing of the said petition on 16/10/09 Hon. MERC directed to get the calculation sheet checked by CGRF. The consumer therefore filed the instant application requesting this Forum to calculate the Additional Supply Charges. The licensee by letter dt. 11/12/09 submitted that they have filed detail say in the said petition before the Hon. MERC and the petition is pending before the Hon. MERC.
- 6) This Forum in case No. 166 of 08-09 by order dt. 19/01/09 directed all Additional Supply Charges wrongly recovered by licensee from consumer should be adjusted in ensuing current bills. As this direction was not complied with, consumer approached the Hon. MERC by way of petition which is pending. According to consumer on 16/10/09 Hon. MERC directed to get the calculation sheet checked but consumer has not filed any document to that effect in the Forum inspite sufficient time given. In the absence of any directions as mentioned by the consumer in the application referred to above, application deserves to be disposed off and hence the order :

ORDER

- 1) Grievance application is disposed off.
- 2) The Consumer can file representation against this decision with Hon. Electricity 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.

Date : 16/12/2009

(Mrs. S.A. Jamdar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan