



**Consumer Grievance Redressal Forum, Kalyan Zone**  
**Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301**  
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**IN THE MATTER OF GRIEVANCE NO. K/E/409/463 OF 2010-2011 OF**  
**M/S. PRECISION PLASTICS UNIT (II) VASAI REGISTERED WITH**  
**CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN**  
**ABOUT EXCESSIVE BILLING.**

M/s. Precision Plastics Unit (II)  
Gala No. 15, Amarnath  
Tungareshwar Ind. Complex,  
Satali Village, Vasai (East),  
Dist. : Thane – 401 208

(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 : 401 208.

(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- V. consumer of the licensee with C. D. 54 KVA. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 08/10/2010 for Excessive Energy Bills. The details are as follows: -

Name of the consumer :- M/s. Precision Plastics Unit (II)

Address: - As given in the title

Consumer No : - 1)002170279711 – 65 HP

Reason of dispute: Excessive Energy Bills.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/562 dated 08/10/2010 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/VSI/(E)/Nil, dated 29/10/2010.
- 4) The Members of the forum heard both the parties on 28/10/2010 @ 18.00 Hrs. in the meeting hall of the Forum's office. Shri Harshad Sheth, Shri Vinit Sheth representatives of the consumer & Shri R. S. Sanap Ex. Engr. Shri S. M. Bangar, Dy. Ex. Engr., Mrs. Kiran Nagaonkar, Dy. Ex. Engr. 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 each party in respect of each grievance shall be referred while deciding each of the grievances to avoid repetition.
- 5) The consumer has taken electricity connection from the Distribution Licensee (DL) to the industry situated at Tungareshwar Ind. Complex, Sativali Village, Vasai (East) in the year 1996. It is contended while giving

supply in the year 1996 licensee has collected SD Rs. 15,600/- and ASD Rs. 23,400/- (six months minimum charge) but the same does not appear in the computer due to change over to Oracle System. It is contended on verifying F-1 register or any other evidence as per the directions of Hon. MERC licensee needs to refund the same and that consumer claimed the amount with interest but not refunded. As regards excess connected load penalty it is contended by the consumer that licensee collected huge amount on this count contrary to the decision of Hon. MERC in case No. 02 of 03 and the Ombudsman Order 39 of 06 as mentioned in the chart enclosed. Consumer by letters dt. 09/09/10, 15/09/10 claimed the amounts as above but the licensee did not respond. Consumer moved the I.G.R. Cell but in vain, hence the instant grievance application to direct the licensee to refund the amount of S.D., ASD., and excess connected load penalty vide chart enclosed with interest.

- 6) Licensee filed reply dt. 29/11/10 contending that amount of SD, ASD with interest will be refunded on receipt of original receipt and as per guidelines of Hon. MERC. So far excess connected load penalty according to licensee it is hopelessly time barred by three years.
- 7) So far refund of SD/ASD in the event of zero display, according to the learned representative for the consumer verifying the F-1 register and Firm Quotation, amount is to be refunded as per the directions of Hon. MERC in case No. 93 of 2008. This Forum in many cases including case No. 396 of 2010 filed by representative Shri Harshad Sheth, referring the order of Hon. MERC as above clearly pointed out on payment of SD/ASD. In this context the licensee is directed verifying F-1 register, F.Q. or any other evidence in the light of the directions given by Hon. MERC to refund if not paid earlier with R.B.I. rate of interest.

- 8) According to consumer vide letter dt. 15/09/10 excess connected load penalty amounting to Rs. 12,780/- vide chart needs to be refunded. Licensee vide reply dt. 29/11/10 pointed out that the claimed amount is hopelessly time barred. According to consumer on perusal the CPL, it is transpired that while enhancing load from 65 to 107 HP officials of the licensee collected excess connected load penalty and the same needs to be refunded as per directions of Hon. MERC in case No. 02 of 03 dt. 14/07/05 and order of Ombudsman in representation No. 39 of 06 dt. 05/09/06. Consumer on this count enclosed calculation chart with application. On going through the orders of Hon. MERC and observation made by Hon. Ombudsman as above in para 12, 13, 14 in the order as above in the light of charts enclosed and hearing the contentions made by both the parties we find proper to direct the officials of the licensee to work out connected load penalty and if collected excess, refund the amount with interest. This Forum in many cases including Case No. 398 and 437 of 2010 filed by representative Shri Harshad Sheth pointed out in detail about the calculation of connected load penalty and the need to refund the same. Consequently grievance application will have to be partly allowed.
- 9) Since large number of cases filed by the consumers from Vasai Circle this Forum was busy with those cases in addition to this members of the Forum had to hold sittings at Vasai also, therefore delay is caused in deciding this case. Hence the order.

**O-R-D-E-R**

- 1) The grievance application is partly allowed.
- 2) Licensee is directed to refund the amount of SD/ASD with R.B.I. rate of interest to the consumer as per the directions given by Hon. MERC in case No. 93 of 08 dated 01/09/2010.

- 3) Licensee is further directed to work out the amount of excess connected load penalty as per the directions of Hon. MERC in case No. 72 of 2007, 02 of 03 and Ombudsman in case No. 39 of 2006 and if collected excess, to refund the same with interest within 45 days and compliance should be reported to the forum within 60 days from the date of receipt of this decision.
- 4) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

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

- 5) Consumer, as per section 142 of the Electricity Act, 003, can approach Hon. Maharashtra Electricity Regulatory Commission 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” at the following address:-

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

Date : 24/12/2010

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

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan