



Consumer Grievance Redressal Forum, Behind "Tejashree", Jahangir
Meherwanji Road, Kalyan Zone Kalyan (West) - 421301
Ph.- 2210707 & 2328283 Ext:- 122 Fax : 2329488

**IN THE MATTER OF GRIEVANCE NO.K/E/025/0027 OF 05-06
OF M/S INOX AIR PRODUCTS LTD. REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN
ZONE, KALYAN ABOUT THE EXCESS AMOUNT CHARGED
FOR LOAD FACTOR INCENTIVE.**

Inox Air ProductsLtd. (Here in after
A/5, MIDC Industries Area, referred to
P.O. Patalganga Dist- Raigad, 410220. as consumer)

Versus

Maharashtra State Electricity Distribution Co. Here in after
Ltd.through its Superintending Engineer, referred to
Pen Circle, Pen. 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 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 H.T. consumer of the licensee connected to their HT network. The consumer is billed on industrial tariff. The consumer registered grievance with forum on 7/07/2005. The details are as follows.

Name of consumer: - Inox Air Products Ltd.

Address: - Same as above

Consumer No.: - 031129011443.

Disputed amount: - Rs 77,647/-

Disputed period: - September 2004.

Reason of dispute: Maximum possible consumption of billing cycle period (in this case 29 days) was not considered for calculating load factor and hence period of 30 days was considered for calculating load factor which resulted in less incentive admissible for load factor.

- 3) The batch of papers containing above grievances was sent by forum vide letter No. 0251 dated 7/07/2005 to Nodal

Officer of licensee. The letter, however, remained unreplied.

- 4) Chairperson heard both the parties on 23/08/2005 and all three members of the forum heard both the parties on 1/09/2005 and 13/09/2005. Shri Mahesh Hegade representative of the consumer represented the case of consumer. Shri Prabhune Nodal Officer represented the case on behalf of licensee.
- 5) Shri Mahesh Hegade, representative of consumer, submitted that the licensee started giving credit for load factor incentive in their power bill with effect from January 2004. He said that the amount of incentive was calculated on load factor worked out with the maximum possible consumption estimated on the basis of billing cycle period instead of 30 days. He further said that the incentive for load factor for the month of September 2004 was worked out on the basis of load factor taking into consideration a period of 30 days instead of billing cycle period, which was 29 days. He also submitted the data in following table in support of his above statement. He further said that an amount of Rs 77,647 is due to consumer in the bill of September 2004.

Sr. No	No. of days	Load factor	% Incentive	Amount in Rs.	Difference (2-1)
1.	30	84%	6.75%	190589	

2.	(Actual days 29)	87%	9.50%	268236	Rs.77647
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- 6) Shri Prabhune, Nodal Officer submitted that the billing program has been modified with effect from 1/10/2004 to accommodate load factor incentive for load factor calculated on the basis of billing cycle period consumption instead of 30 days. He further submitted that he would come back on or before 13th September 2005 with more detail as to why load factor incentive was not given to the consumer in the month of September 2004 on load factor to be calculated on the basis of billing cycle period consumption (in this case 29 days) but load factor incentive was given on load factor calculated taking into consideration 30 days.
- 7) During hearing on 13/09/2005, Shri Prabhune expressed that the matter is under active consideration with competent authorities and final decision is accepted before 20/09/2005. He submitted letter on 19/09/2005 stating that the matter has been referred to head office for clarification and reply is accepted before 3/10/2005. Shri Prabhune submitted letter on 29/09/2005 enclosing Commercial Circular No. 8 dated 16/09/2005 of head office of licensee. He further stated in the said letter that the case of consumer for short receipt of load factor incentive for the month of September 2004 is being

processed in the Circle Office Pen as per instruction contained in Commercial Circular No.8 stated above. According to this Commercial Circular No.8, with effect from first December 2003, the load factor incentive should be calculated on the basis of load factor to be determined by taking into consideration the maximum possible consumption of billing cycle period.

- 8) The forum could not award decision within a period of two months from the date of receipt of grievance (grievance was received and registered by forum on 07/07/2005) as required as per clause 6.12 of Chapter II of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation, 2003, because of the following reason.
 - a) Postponement of hearing scheduled on 1st August 2005, due to dislocation of traffic.
 - b) Delay in taking final decision by the licensee.
- 9) The forum observed that the licensee has taken corrective action and the forum passes the following order.

O-R-D-E-R

- 1) The licensee should work out load factor for the month of September 2004 as per their Commercial Circular No.8 dated 16/09/2005 and should work out load factor

incentive on this load factor and pass on credit to the consumer in the next billing cycle.

- 2) The forum expects that the licensee should modify billing program to accommodate load factor incentive as per their Commercial Circular No.8 dated 16/09/2005 and should pass on credit to all other such consumers also who are entitled for load factor incentive as per said circular. This work should be completed within a period of 90 days.
- 3) 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 5
Appeal can be filed within 60 days from the date of order.

- 4) Consumer, as per section 142 of the Electricity Act, 2003, 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: - 10/10/2005 CSonsue

(M.R.Mehetre)	(Sau.V.V.Kelkar)	(I.Q.Najam)
<i>Member Secretary</i>	<i>Member</i>	<i>Chair person</i>
CGRF Kalyan	CGRF Kalyan	CGRF Kalyan