



Consumer Grievance Redressal Forum, Kalyan Zone

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No.EE/CGRF/Kalyan Zone/

Date of Grievance : 20/05/2015

Date of Order : 11/01/2016

Total days : 260

IN THE MATTER CASE OF GRIEVANCE NO. K/E/888/1086/2015-16 IN RESPECT OF KAYLITES ELECTRICALS PVT. LTD. PLOT NO. 12 & 18, BEYHIND CLASSIC STRIPS, GOKHIVARE, VASAI (E) - 401 208, DIST. PALGHAR REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING RLC AND SD REFUND.

Kaylites Electricals pvt. Ltd,
Plot No.12 & 18,
Behind Classic Strips,
Gokhiware, Vasai (E),
Dist. Palghar,
Pin Code-401 208.
(Consumer No.001849029400)
(Earlier PD No.
001590432241 /001590421096)

.... (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited
through its MSEDCL, Addl. Ex. Engineer,
Vasai Circle, Vasai (E), S/Dvn.

..... (Hereinafter referred as Licensee)

Appearance : - For Consumer : Shri Harshad Sheth-Consumer's representative.
For Licensee :- Shri Umberje-AEE, Vasai (E) S/Dvn.

(Per C.U.Patil-Executive Engineer – cum- Member Secretary)

Maharashtra Electricity Regulatory Commission, is, constituted
u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of
brevity referred as 'MERC'. This Consumer Grievance Redressal Forum

has been established as per the notification issued by MERC i.e. “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as ‘Regulation’. Further the regulation has been made by MERC i.e. ‘Maharashtra Electricity Regulatory Commission. Hereinafter referred as ‘Supply Code’ for the sake of brevity. Even, regulation has been made by MERC i.e. ‘Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.’ Hereinafter referred ‘SOP’ for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014’.

The consumer Kaylites Electricals P. Ltd, having its industry at Plot No.12 & 18, Behind Classic strips, Gokhiware, Vasai (E) holding connection for 107 HP with consumer No. 001849029400 (and earlier PD consumer No.001590432209 and 001590432241 and 001590421096) approached to IGRC with Form “X” dated 05/03/2015.

In response to the above “X” Form, the IGRC has not provided any remedial action. The hearing was not conducted at IGRC level within two months period specified for it. Hence consumer approached to CGRF by submitting his grievance in Schedule “A” dated **20/5/2015** which was registered by allotting No. K/E/888/1086 dated 20/5/2015. The consumer claimed for refund of (a) RLC of Rs. 1,10,586/- for consumer No. 001590432209, Rs.15,961/- for consumer No 001590432241 and Rs.2,698/- for consumer No. 001590421096 (b) Credit balance at the time

of 1- Ph PD Rs. 14,241/- (c) refund of all above excess collected amount with interest.

The hearing for the above matter was scheduled on 09/6/15 at 12:30 hours and it was informed to the Nodal Officer of the Vasai Circle vide letter No. 171 dated 25/05/15 with its copy to the consumer.

The hearing was conducted on 09/6/15 and then was adjourned to 29/6/15, 10/8/15, 2/9/15, 9/10/15, 16/10/15, 27/10/15, 03/11/15, 18/11/15 and lastly on 24/11/15. During the hearings the grievance of the consumer was discussed at length with the Officers of the Licensee which was responded by it vide letter No. 5049 dated 08/6/15.

On the hearing date, i.e. on 9/6/15, the Officers of the Licensee submitted that they have processed for the refund of various amounts involved in the grievance of the consumer and prepared the B80 (-) proposal towards it. On the next hearing date, i.e. on 2/9/15, the AEE of Vasai (E) S/dn submitted the letter dated 2/9/15 clarifying that the proposal of B80 (-) is submitted to their Competent Authorities for further approval. The details of the amount to be refunded is as given bellow:

- a] RLC for consumer No.001590432209 - Rs 1,10,586.50 Ps.
- b] RLC for consumer No.001590421096 - Rs 2,698.41 Ps
- c] RLC for consumer No.001590432241 - Rs 15,961.94 Ps

Total amount - Rs 1,29,246.85 Ps.

During the hearing on 24/11/15, the consumer's representative submitted in writing on his letter head dated 24/11/15 that amount of total Rs. 1,29,246.85 Ps shown by Licensee towards refund of RLC is acceptable

to him. He further said that if the total refund of amount Rs 1,29,246.85 Ps is given to the consumer by way of adjustment of B80 (-) in the existing account of consumer No. 001849029400 which is in the same name, i.e. Kaylites Electricals Pvt Ltd, then it will be treated as grievance is resolved by MSEDCL. CR further clarified that he is not claiming any interest or compensation towards refund. It means that now only the approval from the competent authority to the B80 proposal is awaited and then adjustment of the approved amount towards the consumer No. 001849029400 is to be completed.

Considering both the submissions by AEE i.e. letter dated 8/6/15 and letter dated 2/9/15, the Forum observed that the remedial action has been processed by Licensee for the refund towards RLC and only giving the adjustment of the approved amount towards the consumer No. 001849029400 is remained.

This matter could not be decided within time as Licensee was to provide the details sought from time to time, those were provided on 24/11/15 and their submissions are heard on that day and clarification taken on 24/11/15. **Moreover, the Forum is functioning in absence of regular Chairperson and the Member Secretary is discharging the additional work of Chairperson along with the regular work of Member Secretary.**

The remaining work, i.e. approval to the B80 (-) prepared by AEE for the amount of Rs 1,29,246.85 Ps and then adjustment of the approved amount towards the consumer No. 001849029400 should get completed within 45 days .

Hence the order.

ORDER

The grievance application of the consumer is hereby allowed.

The Licensee is directed to complete the procedure of approval to the B80 (-) processed for the amount of Rs1,29,246.85 Ps and to adjust the approved amount towards the consumer No. 001849029400 within next 45 days. If the consumer is not satisfied with the approved amount, he may again approach to CGRF for the redressal of his grievance, if he so desires.

Licensee to submit the compliance of the above order within 60 days from the date of order.

Dated: 11/01/2016.

I agree

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

**(Chandrashekhar U.Patil)
Chairperson-cum- Member Secretary
CGRF, Kalyan.**

**** (In the sitting of Forum, the Chairperson is not available. As per MERC Regulations (2006), Clause 4, the technical member shall be the Chairperson of such sitting in which Chairperson is not available and hence in the present case, the technical member performed the role of Chairperson of the Forum).**

NOTE

a) The consumer if not satisfied, may file representation against this order before the Hon. 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”.

b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or

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- c) 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”

- d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.