

Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax - 2210707, E-mail : cgrfkalyan@mahadiscom.in

No. K/E/784/943 of 2013-14

Date of Grievance: 21/03/2014

Date of order : 28/03/2014

Period Taken : 7 days.

IN THE MATTER OF GRIEVANCE NO. K/E/784/943 OF 2013-14 IN RESPECT OF NRC LIMITED, VILLAGE MOHONE, TAL. KALYAN, DISTRICT-THANE PIN- 421 102 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING ISSUE OF DISCONNECTION NOTICE WITHOUT COMPUTING PROPER CREDIT BALANCE WITH MSEDCL.

NRC Limited,

Village Mohone, Tal. Kalyan,

District-Thane.

Consumer No. 020169009628 HT

.... (Hereafter referred as consumer)

Versus

Maharashtra State Electricity Distribution

Company Limited through its

Executive Engineer, Kalyan -Circle-1, Kalyan (Hereinafter referred as Licensee)

Appearance : For Consumer -Shri Mantri, and General Manager

Shri Killedar-Consumer's Representative

For Licensee - Shri Lahange- Nodal Officer and Executive Engineer,

Shri A.M.Kale and Barambhe - Asst. Engineer

Shri Sakpal-Accountant.

(Per Shri Sadashiv S.Deshmukh, Chairperson)

1] 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, (36/3003). Hereinafter it is

referred as 'Regulation'. Further the regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other conditions of supply) Regulations.

2] Consumer filed this grievance on 21/3/2014, alleging that in spite of order of this Forum in grievance No. 901/2011 dated 29/1/2014, amount as directed in the said order is not paid to the consumer and even, it is not adjusted in the bill of January 2014. However, the notice is issued for dues of said January 2014. The notice dated 12/3/2014 u/s. 56 of the Electricity Act and period of 15 days was to complete. In this matter copy of grievance was provided to the Licencee along with the letter of this Forum bearing No. EE/CGRF/Kalyan /126 dated 24/3/2014 and matter is placed today for urgent hearing.

3] We heard both sides. On behalf of Licencee bill dated 12/3/2014 of consumer is placed before us and therein credit given for the amount, as directed by this Forum in Grievance No.901/2013-2014, decided on 29/1/2014, is, reduced and adjusted. It is contended that said adjustment is shown in the arrears itself and those arrears, instead of Rs.56,74,872,399/.,after giving credit of refund, worked out to the extent of Rs.9,56,517.02 On behalf of Licencee, details are placed before as, how the figure is worked out, even interest is worked out as per Bank Rate of Reserve Bank of India, which was changed from time to time. As against it, on behalf of consumer, attempt is made to point out the calculation of amount, but towards rate of interest, it is worked out at the rate of 11.75, which is quantified as Rs.10,41,991/-. But as per prevailing Bank rate from time to time, Licencee has worked it out to the tune of Rs.8,10,875.83, accordingly, difference is noted to the tune of Rs.2,31,137/- and odd. Even in respect of bill refund, consumer has shown differences to the tune of Rs. 38,71,560/- but Licencee has shown more amount Rs.38,84,420.16 Ps. Amount towards CT replacement is correct. Accordingly, in respect of difference in interest it seems consumer has not considered the rate which was changed from time to time.

Officers of Licencee are fair enough to submit, if any difference is legitimately pointed out, it may be considered. Accordingly, at this stage, we find, as directed by this Forum, Licencee has shown the refund and we find in fact, no any order can be passed by this Forum as it pertains to recovery of amount as directed by this Forum by way of execution. Powers of execution are with Hon'ble MERC. In this light, we find this grievance is to be disposed off. Licencee as per the order of this Forum, calculated amount, refunded to the consumer to the tune of Rs.9,47,630.99 and as observed above, consumer is at liberty to point out to the Licencee any flaw or correctness in calculation. Hence, now consumer to act appropriately towards depositing of the amount sought by Licencee.

Hence the order.

ORDER

Grievance brought before us pertaining to non compliance of the order passed by this Forum in grievance No.901 dated 29/1/2014, it is disposed off.

Dated:28/03/2014.

I agree

I agree

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

(Chandrashekhar U.Patil)
Member Secretary
CGRF,Kalyan

(Sadaashive S.Deshmukh)
Chairperson
CGRF, Kalyan

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 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”

- c) 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.