



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

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Date of Grievance : 07/05/2012  
Date of Order : 23/07/2012  
Period taken : 77 Days

**IN THE MATTER OF GRIEVANCE NO. K/E/543/641 OF 2011-2012 OF**  
**M/S. HOLOGRAPHIC SECURITY MARKING SYSTEMS PVT. LTD., VASAI**  
**(EAST) REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL**  
**FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE BILLING.**

M/s. Holographic Security Marking  
Systems Pvt. Ltd.,  
Gala No. 01 to 03,  
Kirti Sagar Industrial Complex,  
Chinchpada, 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.

(Here-in-after  
referred  
as licensee)



Forum once again in the light of the order passed by Hon. Ombudsman in Representation No. 135 of 2011, dt. 31<sup>st</sup> January 2012. In fact the order passed by this Forum in the concerned matter was set aside and direction was given to the consumer therein to approach the Forum a fresh and accordingly that matter pertaining to Representation No. 135 of 2011, dt. 31<sup>st</sup> January 2012 is decided alongwith other set of matters wherein the concerned consumers had approached the Hon. Ombudsman by filing their representations. Accordingly in this matter no such representation was filed. It is now rightly pointed out that when Representation No. 135 of 2011 was decided on 31<sup>st</sup> January 2012, period of limitation prescribed for approaching the Hon. Ombudsman in this matter, was yet to over. Accordingly now it is contended that order passed by this Forum pertaining to the present consumer needs to be decided in the light of the order of Hon. Ombudsman in Representation No. 135 of 2011, dt. 31<sup>st</sup> January 2012. No doubt

representative of consumer contended that aspect involved in the matter is similar to that of the order involved in Representation No. 135 of 2011, decided by the Hon. Ombudsman on 31<sup>st</sup> January 2012 hence this matter be dealt on the same lines.

(B) In this matter it is pointed out that consumer is provided supply from 27/06/1995 which is reflected in the monthly energy bills. Prior to supply Firm Quotation was given and accordingly an amount of Rs. 15,600/- towards energy deposited (SD) and Rs. 4,900/- towards development charges were taken by the Licensee, said total amount is of Rs. 20,500/-.

This amount was not reflected in the monthly bill. However, this peculiar aspect was dealt before the MERC and MERC in case No. 93 of 2008 passed orders from time to time and attempt was done to ensure that said deposit is reflected in the bill and to be adjusted. In other words if deposit is taken and if there is excess, it was to be adjusted, if it was less it was to be recovered. It is further submitted in case of present consumer said initial deposit of Rs. 20,500/- never reflected in the bill.

However, from June 2008 Licensee was to ensure that said deposit available be shown as deposit in the energy bill paid by the consumer and showing said deposit in the next bill as arrears of bill if not deposited and accordingly amount is to be recovered.

In this fashion it is submitted initial deposit of Rs. 20,500/- was with the Licensee which is not further continued as deposit but fresh deposit in June 2008 is taken and now consumer is seeking refund of the amount of deposit taken at initial stage i.e. from the date of supply 27/06/1995 Rs. 20,500/- on which no interest was paid and in June 2008 fresh deposit is taken.

It is submitted that admittedly deposit is taken twice hence deposit which was taken first ought to have been adjusted but not adjusted, it is to be refunded, no any interest is paid on it from the beginning hence interest to be awarded and as directed by the MERC it would be as per Bank Rate from 21/01/2005 but as per circular of Licensee i.e. MSEB it was to be paid as per the Postal Saving Rate. In this matter representative or consumer has placed on record the calculation sheet following both modes.

It is further clarified as per the directives of MERC to ascertain the exact amount of deposit liberty is given to the Licensee to verify from their record or to the consumer to bring record including that Firm Quotation and now he is producing Firm Quotation and contended that when supply is given on 27/06/95 it is to be presumed that unless deposit is given, connection is not released. Further he clarified even Licensee is having record which reflects each and every payment of consumer it is in F-1 Register.

(C) In this regard on behalf of Licensee Shri Naik submits that group of matters taken with the Hon. Ombudsman are decided including Representation No. 135 but this matter was not before Hon. Ombudsman by way of representation. The order of CGRF not set aside and hence there is no any express order passed towards deciding this matter a fresh or directed the consumer to approach this Forum a fresh.

(D) Considering the aforesaid factual aspects we find already the grievance of consumer involving the present aspect is dealt and view is expressed stating no jurisdiction and said order is not yet set aside by any higher authority and hence it is still subsisting. We tried to ascertain whether there can be review from our side, but Regulation is not providing any such clue for exercising the powers of review and hence we find keeping in tune with discipline to assume the powers of review will not proper and hence we find at this stage we are not able to give any relief to the consumer as this aspect is decided from our end i.e. on 30/11/2011 and hence till that order is set aside by any higher Forum no any relief involved

in it can now be given here. Hence we find this grievance application is to be rejected.

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

- 1) The present grievance application hereby stands rejected as the previous order pertaining to this relief dated 30/11/2011 is not set aside.
- 2) 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”.*

Date : 23/07/2012

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

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan

(Sadashiv S. Deshmukh)  
Chairperson  
CGRF Kalyan