



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

---

**IN THE MATTER OF GRIEVANCE NO. K/E/428/483 OF 2010-2011 OF**  
**MR. DILIPKUMAR S. JAIN, VASAI REGISTERED WITH CONSUMER**  
**GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT**  
**EXCESSIVE BILLING.**

Mr. Dilipkumar S. Jain  
Gala No. 02,  
Survey No. 66,  
Plot No. 3233, Sativali,

Vasai (East), Dist. : Thane – 401 208

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 Consumer)

(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. 41 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 :- Mr. Dilipkumar S. Jain

Address: - As given in the title

Consumer No : - 1)001840868971 – 50 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/623 dated 08/10/2010 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/VSI/(E)/9675, dated 22/11/2010.
- 4) The forum heard both the parties on 07/12/2010 @ 16.30 Hrs. in the cabin of Nodal Officer Vasai Circle, Vasai. Shri Harshad Sheth, Shri Vinit Sheth representatives of the consumer & Shri Purohit, Nodal Officer, Shri S. M. Bangar, 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 S. No. 66, Plot No. 3233, Sativali,

Vasai (East) in the year 2004. It is contended in 2004 while enhancing the load licensee has collected SD Rs. 15,000/- and Rs. 9,000/- as ASD 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 based on the Xerox copy but not complied with though applied on 17/06/10. It is further contended that licensee wrongly charged capacitor penalty in the bill of Feb. 2007 amounting to Rs. 13,702.17 as per chart enclosed and the same needs to be refunded with interest as per the directions of Hon. MERC in case No. 02 of 03 dt. 14/07/05 and representation No. 39 of 06 dt. 05/09/06. Consumer vide letter dt. 28/07/10 and 03/08/10 claimed the amounts as above but licensee did not respond. Consumer therefore moved the I.G.R. Cell but in vain, hence the instant grievance application to direct the licensee to refund the amount of SD / ASD and capacitor penalty vide chart enclosed with interest.

- 6) Licensee filed reply dt. 22/11/10 contending that amount of SD/ASD as above is being refunded with interest. So far claimed capacitor penalty it is hopelessly time barred and hence it cannot be refunded.
- 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) So far refund of capacitor penalty charges according to consumer these charges were collected during February 2007 amounting to Rs. 13,702.17 approx. as per the chart enclosed in violation of the licensee's conditions of supply as well commissions order in this behalf. Consumer in his complaint dt. 28/07/10 nor the licensee in their reply pointed out details on the capacitor penalty, therefore it is apt to direct the officials of the licensee going through the chart enclosed and verifying the records to work out capacitor penalty charges if any and refund the amount with simple interest at the same rate charged as unpaid amount of bill, if wrongly collected in the light of the directions given by Hon. MERC in case No. 02 of 03 dt. 14/07/05 and order of Hon. Ombudsman in representation No. 39 of 06 dated 05/09/06. 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 if not paid earlier, as per the directions given by Hon. MERC in case No. 93 of 08 dated 01/09/2010 within 45 days and

compliance should be reported to the Forum within 60 days from the date of receipt of this decision.

- 3) Licensee is further directed to refund the amount of capacitor penalty if recovered excess to the consumer with simple interest at the same rate charged as unpaid amount of bill, as per the directions of Hon. MERC and Ombudsman 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, 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”*

Date : 03/01/2011

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

(R.V. Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan