



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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IN THE MATTER OF GRIEVANCE NO. K/I/006/376 OF 2009-2010 OF M/S. TASS CHEMICALS PVT. LTD. MIDC PHASE-II DOMBIVALI (EAST), REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT ILLEGAL DISCONNECTION OF SUPPLY AND DELAY IN CHANGE OF NAME.

M/s. Tass Chemicals Pvt. Ltd.

Plot No. W - 139, Phase – II, MIDC

Dombivali (East) : 421 203

Versus

(Here in after
referred to
as Consumer)

Maharashtra State Electricity Distribution
Company Limited through its Dy. Executive
Engineer, Kalyan East Sub/Dn No. III

(Here in after
referred to
as Licensee)

- 1) Consumer Grievance Redressal Forum has been established under regulation of "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 (MERC) vide powers

conformed 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 Three phase L.T. Industrial consumer of the Licensee. The Consumer is billed as per Industrial tariff. The consumer registered grievance with the Forum on 15/05/2010 regarding illegal disconnection of supply and delay in Change of Name. The details are as follows: -

Name of the consumer : M/s. Tass Chemicals Pvt. Ltd.

Address: - As above

Consumer No. :- 021500009923

Reason for Dispute : - Regarding illegal disconnection
of supply and delay in Change of Name.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/192, dt. 15/05/2010 to the Nodal Officer of the Licensee, and the Licensee through Dy. Executive Engineer MSEDCL Kalyan East Sub/Dn No. III filed reply vide letter No. DYEE/KLN(E)/Sub.Dn.III/T/1662, dt. 09/06/2010.
- 4) The original hearing fixed on 07/06/2010 at 15.00 hrs. was postponed on 14/06/2010 at 15.00 hrs. as per request of the consumer and the same was intimated to both the parties. Members of the forum heard both the parties on 14.06.2010/22.06.2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri B. R. Mantri Consumer Representative, Shri D. B. Nitnavare Nodal Officer In-charge, Shri R. J. Thool Dy. Ex. Engr., Representatives of the licensee attended the 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 the parties in

respect of grievance since already recorded will be referred to avoid repetition.

- 5) According to the partners of Unicom Industries they have purchased the Tass Chemicals Pvt. Ltd. MIDC Dombivali (East) with the meter vide consumer No. 021500009923. It is contended since prior to purchase electric supply was for security purpose. Though the activities in the factory were closed and the electricity was used for security purpose, it is alleged by the consumer that officials of the licensee vide notice apprised them to pay the charges of faulty/damaged meter and though requested frequently did not replace the meter and all of a sudden, it is contended officials of the licensee removed the meter and not replaced till today. It is further contended that inspite of giving application for change of name on 04/03/2010 licensee did not enter the name of the new company is in contravention to the rules and regulations. Consumer by letter dt. 11/05/10, 25/11/09 requested the licensee to replace the meter so as to continue their supply and to effect change in name, but in vain. Consumer therefore lodged this reference with a prayer to direct the officials of the licensee to connect their supply and to effect change in name.
- 6) Licensee opposed the allegations levelled as above contending that the meter and the box installed in the premises of the company was damaged due to fallen of slab and that consumer failed to send test report so as to effect change in name. It is contended that during routine checking of 'D' list inspection of the premises of M/s Tass Chemicals on 07/05/09 it was found the structure and premises was damaged and so also inside wirings were damaged thereby it was unsafe to continue

supply. Meter box was damaged due to falling of roof on meter, therefore, meter was removed in the presence of representative of the consumer, and as the wiring was damaged, supply was disconnected for the general safety purpose. According to licensee consumer was informed to complete wiring work and to submit test report accordingly, however, he did not submit report as above. As the meter box was damaged consumer was informed to pay cost of meter by the notice dated 07/08/09 however, consumer failed to pay cost of meter and to submit wiring test report therefore question of reconnection and change of name does not arise. It is alleged that electricity was given for industrial chemical purpose, however, reconnection is sought for manufacture of corrugated boxes is apparently change of use of electricity and on this count also connection cannot be restored. It is contended consumer No. 021500009923 was removed and billing is stopped and as he is not live consumer, change of name could not be done. According to licensee, consumer was informed to comply as above on 07.04.09/27.11.09 however, instead compliance as above, this false grievance came to be filed therefore it be dismissed in limine.

- 7) Record shows that on 14/06/2010 consumer filed an application to dispose of the grievance as they have decided to close the earlier connection and to file a fresh application to release new connection. Thereupon learned Dy. Ex. Engr. Kalyan East Sub/Dn. No. III by reply pointed out that new connection will be released immediately on completion of necessary formalities as per the rules of licensee. Surprisingly on the next day on 15/06/2010 the learned C.R. on behalf of Unicom Industries reported that they have to continue the grievance

since they apprehend that officials of licensee may delay in giving new connection, consequently the grievance was fixed for hearing of both the parties on 21.06.10 / 22.06.10. On 22.06.10 the learned C.R. again by application reported that they have to withdraw the grievance as they have applied for new connection with necessary documents on 17/06/2010 and consequently grievance be disposed of.

- 8) Since consumer requests vide application dated 22/06/2010 to dispose of the grievance as they have already filed application for new connection, the same deserves to be disposed of and hence the order :

ORDER

- 1) Grievance application stands disposed of as withdrawn by consumer vide pursis dated 22/06/2010.
- 2) Licensee to take action on the application of consumer dated 17/06/2010 as per rules.
- 3) The Consumer can file representation against this decision with the Ombudsman at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”

Representation can be filed within 60 days from the date of this order.

Date : 29/06/2010

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

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan