



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/E/438/494 OF 2010-2011 OF
M/S. HEMANT L. GHALLA VASAI REGISTERED WITH CONSUMER
GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT
EXCESSIVE BILLING.

M/s. Hemant L. Ghalla
Gala No. 10, Samruddhi,
Sagar Ind. Estate,
Satali Road, Gokhiware,
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)

- 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. 52 KVA. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 28/10/2010 for Excessive Energy Bills. The details are as follows: -

Name of the consumer :- M/s. Hemant L. Ghalla

Address: - As given in the title

Consumer No : - 1)001590790989 – 63 HP

2)001590791756 – 1 Phase

Reason of dispute: Excessive Energy Bills.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/687 dated 28/10/2010 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/VSI/(E)/9689, dated 22/11/2010.
- 4) The forum heard both the parties on 07/12/2010 @ 18.30 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 Sagar Ind. Estate, Sativali Road, Gokhiware, Vasai (East) in the year 2004. According to consumer at the time of new connection licensee collected Rs. 18,900 as Security Deposit (SD) and Rs. 11,340 as Additional Security Deposit (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 and that consumer claimed the amount with interest but not refunded. It is further averred that single phase meter No. 001590791756 is not required since it is to be clubbed with three phase meter consequently single phase meter is to be permanently disconnected and the amount of SD/ASD/RLC collected by licensee in this context needs to be refunded. Consumer vide letter dt. 12/08/10, 13/09/10 apprised all the above points for compliance to the licensee but did not pay heed therefore consumer moved the I.G.R. Cell but in vain hence the instant grievance application with prayer to direct the licensee to refund the amount of SD/ASD, and the amount of SD/ASD/RLC in connection with single phase PD meter with interest.
- 6) Licensee filed stereotype reply dt. 22/11/10. So far refund of SD/ASD it is contended the same will be refunded on production of original receipt or any other evidence as per the directions of Hon. MERC. So far permanent disconnection of single phase meter it is contended on receipt of report of Section Engineer it will be disconnected and the refund will be shown in the record.

- 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 permanent disconnection of single phase meter and refund the amount collected in this context, it is contended by the licensee that instructions have been given to concerned Section Engineer and on receipt of his report, account will be finalized. In fact, while permanently disconnecting the single phase meter licensee should have refunded the amount collected in this context and not consumed time as happened. Licensee can very well be directed to permanently disconnect the single phase meter as per the department circular and to refund the amount of SD/ASD/RLC collected in this context without delay. Consequently the grievance application will have to be partly allowed and 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 30 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 disconnect the single phase connection permanently as per the department circular and refund the amount of SD/ASD/RLC collected in this context with R.B.I. rate of interest to the consumer, within 30 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 : 30/12/2010

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

(R.V. Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan