



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph: – 2210707 & 2328283 Ext: - 122

IN THE MATTER OF GRIEVANCE NO. K/ E/203/227 OF 2009-2010 OF
M/S. VEROMECH INCORPORATED, VASAI REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT EXCESSIVE BILLING.

M/s. Veromech Incorporated
Gala No. 5, Blue Chip Indl. Estate No. 4
Waliv, Sativali Road,
Vasai (E), 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 below 20 KW consumer of the licensee with sanction load of 15 HP. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 06/03/2009 for Excessive Energy Bill. The details are as follows: -

Name of the consumer :- M/s. Veromech Incorporated

Address: - As given in the title

Consumer No : - 001840866412

Reason of dispute: Excessive Energy Bill.

- 3). The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/227 dated 06/03/2009 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/VSI/(E)/B/2962, dated 15/04/09.
- 4) The consumer has raised these grievances before the Executive Engineer (O&M) Division, MSEDCL, Vasai Division, on 27/12/08. The said Internal Redressal Cell did not give any hearing to the consumer & also did not send any reply resolving the said grievances to the consumer. Therefore, the consumer has registered the present grievance before this forum on 06/03/2009.

- 5). The Members of the Forum heard both the parties on 15/04/2009 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Harshad Sheth, representative of the consumer & Shri S.B.Hatkar, Asstt.Acctt., and Shri B. D. Shidore, Asstt. Engr. representative of the licensee attended hearing. Minutes of the hearing are recorded and 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.
- 6). The consumer has raised the following grievances in its letter dated 27/12/08 sent to the concerned Executive Engineer and of which copy the consumer has attached with the grievance made before this forum and considering the reply dtd 15/04/09 with CPL filed by the licensee, and submissions made by the parties, record produced by the parties, the findings or resolutions on each of such grievance is given against it, for the given reasons.
- 7). As to grievance (1 & 2) – Regarding Security Deposit". The consumer claims that the consumer has paid Security Deposit (SD) Rs. 4500/-, Rs. 2700/- i.e. total Rs. 7200/- at the time of change of name in May. 05, but the bills were showing Deposit as Nil upto May 2008. Further the consumer has paid SD of Rs. 2000/-. The said amount is displayed on the bill. The licensee should verify the total amount of SD and should give credit of compound interest on it, to the consumer. The consumer also claims refund of excess SD. As against this, the licensee claims that Rs. 4500/- and Rs. 2700/- was paid by consumer as SD in May 05. The SD paid at the time of connection was not displayed on bill. The interest will be paid as per rules. Considering the average bill, the balance amount will be refunded for which the consumer should produce original receipts.

Considering the above contentions of the parties, the licensee is directed to verify the correct amounts of SD from time to time from its record and the record with consumer, display the correct amounts of SD, calculate the proper SD at this stage & refund the excess amount of SD & the interest at Bank rate of RBI on such amounts of SD at the prevailing rate, by giving it's credit to the consumer, in the ensuing bill after a period 30 days.

8). As to grievance (3) – Bill adjustment charges:

The consumer claims that the licensee has added the debit bill adjustment charges of various amounts such as Rs. 127.48, and Rs.91.56, in the bills for the billing periods Aug.07 and July 07 respectively. The licensee should justify such adjustments and refund, if the same are not justified. The licensee has claimed that the above mentioned debit adjustments are of TOSE @ of 4 np p/u for March 06 to Feb. 06 and TOSE @ of 4 np p/u for Sept. 05 to Feb. 06 respectively. The CR has relied upon the order dated 24th May 2005 passed by MERC in case No. 28 of 2004 in support of his contention that the licensee has earlier refunded the TOSE charged for the above referred periods as per the above referred order, but has again charged the same as above without any further order of MERC about it. The licensee has not filed any such order of MERC passed after the above order which enabled it recharge the TOSE. Therefore, the licensee is directed to give explanation in writing giving details about amounts & as to how it has recharged TOSE as claimed particularly in reference to the order dated 24/05/2005 passed by MERC in case No. 28 of 2004, to the consumer within a period of 30 days & on failure to do so, or in case of unsatisfactory explanation, refund the excess amount if any, recovered as above, by giving it's credit to the consumer in the ensuing bill after 30 days.

- 9) As to grievance (4) - Refund of ASC. The consumer claims that the licensee should refund Rs. 1647/- towards ASC for the month of Oct. 07, Nov. 07 and Jan. 08 as per statement attached with the grievance. According to consumer, the licensee has considered different Benchmark consumptions for calculation of ASC charges for above mentioned period. The licensee claims that Benchmark consumption will be confirmed and if applicable, necessary credit will be given. Therefore, licensee is hereby directed to verify the Benchmark Consumption (i.e. average consumption period of Jan.05 to Dec.05) and recalculate the ASC charges for above period, if found any excess; same may be refunded to the consumer with the interest at the bank rate of RBI within 30 days from the date of this decision.
- 10). As to grievances of (5) – Incremental ASC charges.:- The consumer claims that the licensee should refund incremental ASC for following period as per MERC order in case No.45 dt.17.9.08.

Jan .07- 047.15

Feb. 07 – 027.06

Apr 07 - 028.70

As against this, the LR submits that matter is referred to higher authority and after confirmation of the same, action will be taken.

The licensee is directed to verify incremental ASC charges recovered from the consumer and refund the same as per MERC order No.45 dt.17.9.08, if not refunded earlier, alongwith interest at the Bank rate of RBI by giving its credit to the consumer in the ensuing bill after completion of 30 days from the date of this decision.

- 11). **As to grievance (6) – Refund of MD based fix charges from Oct.06 to Mar.07:** The consumer has claimed refund of an amount of Rs. 2671.64 on this count as the tariff charges of the relevant period were reverted back to the HP based tariff from MD based fix charges, due to non completion of installation of MD meters in entire Maharashtra. The licensee claims that it has refunded Rs. 1860.48 of such difference in the month of May 07 and in other month which will be intimated after confirmation from higher authority. The licensee, however, did not give further information of such other month till this date, and details of such refunded amount and the way in which the said amount was refunded. Therefore the licensee is directed to give detail calculations of the amount of such refund, the exact amount and the way in which it was refunded, and refund the balance amount, if any, together with interest at the Bank rate of RBI, by giving its credit to the consumer in the ensuing bill after a period of 30 days.
- 12). There has been no. of holidays and consequently less working days during last month. There has also been sudden increase in registration of grievances by the consumers before this forum since last three months, as result of which this forum is forced to hear arguments in two cases on every day and also to decide such a cases at the same rate. Therefore, there has been some delay in deciding this case.
- 13). After hearing both the parties, studying all available documents submitted by licensee as well as consumer the forum passes unanimously the following order

ORDER

- 1) Licensee should follow the directions given in above para numbers from 07 to 11.
- 2) The Compliance should be reported to the forum within 90 days from the date of this decision.
- 3) The Consumer can file representation against this decision to the Ombudsman at the following address.

*“Maharastra Electricity Regulatory Commission,
606/608,KeshavBuilding,BandraKurlaComplex,Mumbai 51”*

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

- 4) Consumer can approach Maharashtra Electricity Regulatory Commission on the following address :

*“Maharashtra Electricity Regulatory Commission,
13th floor,World Trade Center, Cuffe Parade, Colaba, Mumbai 05”*

for compliance in case of non-compliance, part compliance or delay in compliance of this decision passed under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003”, under Section 142 of the Electricity Act 03.

Date : 12/05/2009

(Sau V. V. Kelkar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(M.N.Patale)
Chairman
CGRF Kalyan