



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. K/N/0118/939 of 2013-14

Date of Grievance : 10/03/2014
Date of Order : 12/06/2014
Total days : 95

IN THE MATTER OF GRIEVANCE NO. K/N/0118/939 OF 2013-14 IN RESPECT OF M/S. ROYAL CABON BLACK PVT. LTD. VILLAGE VANIVALI, TAL. KHALAPUR, DISTRICT - RAGIAD, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING NOT GIVING NEW SUPPLY.

M/s. Royal Carbon Black Pvt.Ltd.,
Village Vanivali, Tal.Khalapur,
District-Raigad

(Hereinafter referred as consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer, MSEDCL,
Pen Circle, Pen

.... (Hereinafter referred as Licensee)

Appearance : For Consumer – None attended
For Licensee - Shri Khandare –Executive Engineer
Shri R.M.Sayyed -Asst..Engineer

(Per Shri Sadashiv S.Deshmukh, Chairperson)

1] Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003.(36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'. Further the regulation has been made by MERC i.e.

‘Maharashtra Electricity Regulatory Commission. Hereinafter referred as ‘Supply Code’ for the sake of brevity. Even, regulation has been made by MERC i.e. ‘Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005.’ Hereinafter referred ‘SOP’ for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2005’.

2] Consumer has sought new connection by filing application on 11/1/2012, he made grievance with the Licencee on 17/9/2012, issued reminder on 13/1/2014 as supply was not given, and thereafter approached this Forum on 4/3/2014.

3] On receiving the said grievance, its copy along with grievance sent to the Nodal Officer vide letter No. EE/CGRF/Kalyan/114 dated 12/3/2014. On receiving it, Licencee appeared and filed reply dated 26/3/2014, on 28/3/2014.

4] In this matter initially date was fixed on 18/3/2014, thereafter it was adjourned to 9/4/2014, 23/4/2014, 2/5/2014, 19/5/2014 and 27/5/2014, none attended on these dates for consumer. However, emails were sent by it up to 17/5/2014, but thereafter there is no any communication by consumer. Date was intimated to consumer on 19/5/2014, about hearing to be held on 27/5/2014, but there is no response. Accordingly, on 27/5/2014, Officers of Licencee attended. Matter heard and reserved for order.

5] When matter was taken up for hearing on 27/5/2014. Officers of Licencee explained the factual aspect which they have placed on record in their reply dated 26/3/2014. It is admitted that consumer sought connection as an individual entity on 11/1/2012 which was received on 23/1/2012 for new HT supply. However, as the consumer not furnished all required documents, Licencee intimated it on 8/2/2012 to comply, however, further action of checking the technical feasibility to release HT supply was initiated but towards it, necessary processing fee of Rs.1700/- not deposited by consumer. However, Executive Engineer of Panvel (R) Division

inspected installation of unit of M/s. Royal Energy Ltd. on 25/9/2012 and noticed, it had given unauthorised extension of power, to the present consumer. Hence, u/s. 126 said Royal Energy was dealt. Final Assessment Order was passed on 26/4/2013 and it was directed to pay amount of Rs.10,57,922.38 Ps. It is further contended that on behalf of Royal Energy Ltd. application dated 11/3/2013 was received for change in the name in favour of present consumer. In response to it, on 16/4/2013, Licencee intimated Royal Energy Ltd to make payment as per the final assessment order as referred above, as there was a prayer for change of name. However, it's compliance was not done. Supply to Royal Energy Ltd. was in Survey No.94 Hissa Nos. 1 & 2. It is further contended that present consumer was asked by the Licencee on 5/3/2014 to pay normative charges of Rs.1700/- towards application, registration and processing fee and in addition to pay amount as per final order pertaining to Royal Energy Ltd. as consumer was seeking supply in the said area of Royal Energy Ltd., by way of change in name. It is further contended that consumer on 19/3/2014, filed the revised application, deleting survey No.94/1 which was shown in the original application, belonging to Royal Energy Ltd. and even deposited Rs.1700/-normative charges on 20/3/2014. Licencee claimed that as per the said revised application, consumer is asked to provide other required documents and Field Officer was asked to submit feasibility and required estimates, by issuing letter dated 21/3/2014. In this light, it is submitted, towards change in name, compliance is not done, payment of outstanding amount of Royal Energy Ltd and in respect of new HT supply that too, revised application, process fee is paid belatedly and when required conditions as per revised application totally complied, then matter will be processed. Accordingly, it is contended that this grievance be rejected.

6] As noted above, facts are clear, though consumer filed initial application for supply independently, but again added for change in name, pertaining to the supply of Royal Carbon in Survey No 94 Hissa Nos. 1 & 2. Subsequently, application is revised, said survey No.94 is deleted, normative charges are deposited belatedly that too after filing of this grievance and Licencee proceeded to process the aspect and it is

submitted that as and when the compliance are completed as required supply will be given. In spite of this Forum giving sufficient time to the consumer, consumer opted not to attend the matter, not to place precise progress in the matter and grievance which is yet to be redressed. But, as per its contention in further letter dated 23/4/2014, developments about the letter of Licencee dated 21/3/2014, request of consumer dated 17/4/2014 are placed on record. These are speaking about change in the stand of consumer and it is clear that even Licencee is responding to the consumer's demand within its limits and awaiting for total required compliance. Considering all these aspects, we find, consumer is not interested in pursuing this grievance and is taking up the matter with Licencee independently and trying to cure and comply the requirements. In this light, we find at this stage, no any grievance subsists and consumer is not interested in pursuing this matter. Accordingly, this grievance is to be disposed off.

7] This matter could not be decided within the prescribed time, as consumer all the while engaged in communicating by email, not attending the matter and this Forum tried to respond giving some more time, it led to delay.

Hence the order.

ORDER

1] This grievance is disposed off as consumer is not pursuing it and has approached Licencee with revised application for supply which is in process.

Dated:12/6/2014

I agree

I agree

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

(Chandrashekhar U.Patil)
Member Secretary
CGRF,Kalyan

(Sadashiv S.Deshmukh)
Chairperson
CGRF, Kalyan

NOTE: -

- a) The consumer if not satisfied, may file representation against this order before the Hon. 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”.
- b) 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”
- c) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.