



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/528/624 OF 2011-2012 OF SHRI RASHIN J. PATEL, VASAI (EAST) REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE BILLING.

Shri Rashin J. Patel,
Gala No. 01,
M. L. K. Industrial 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.- II consumer of the licensee with 20 KW load. The Consumer is billed as per commercial tariff. Consumer registered grievance with the Forum on 08/07/2011 for Excessive Energy Bills. The details are as follows: -

Name of the consumer :- Shri Rashin J. Patel

Address: - As given in the title

Consumer No : - 1)001590791179 – 20 KW

Reason of dispute : Excessive Energy Bills.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/479 dated 08/07/2011 to Nodal Officer of licensee. The licensee did not file reply though sufficient time period given.
- 4) The Members of the forum heard both the parties on 24/08/2011 @ 14.30 Hrs. in the meeting hall of the Forum’s office. Shri Harshad Sheth representative of the consumer & Shri U. M. Naik, Dy. Executive Engineer, representative 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 M.L.K. Industrial Estate, Sativali

Road, Gokhiware, Vasai (East). It is contended that licensee recovered excess amount issuing wrong bills in connection with RLC etc. Consumer by letter dt. 07/03/09 claimed the excess recovered amounts as above but the licensee did not respond. Consumer moved the I.G.R. Cell and the cell vide order dated 21/07/2011 directed that as per CPL there is no consumption recorded since July 2009, meter permanently disconnected in March 2011, check the correspondence of consumer about P.D. and also the P.D. report submitted by the Sectional Incharge and if version of consumer is found correct, necessary action of refund the bill amount or B-80 adjustment as per MSEDCL's Rules and Regulations to be taken within 15 days to be taken. Feeling aggrieved against this, consumer lodged the grievance with a request to direct the licensee to refund the amounts as above vide charts enclosed with interest.

- 6) Licensee did not file reply though sufficient time given hence we have no option but to pass the order on the basis of material record available vide Clause 6.13 of Consumer Grievance Redressal Forum & Electricity Ombudsman Regulations 2006.
- 7) According to consumer vide letters referred to above excess amount was recovered instead permanently disconnecting the meter. It is the grievance of consumer that the licensee did not comply the order passed by the Forum in Grievance application No. 287 of 2009-2010. In fact for non compliance of the order of the Forum consumer had remedy to approach the Hon. Commission under Section 142 of the Electricity Act 2003, however instead availing that remedy though issued notice to the licensee dated 16/04/2011 as seen from the record moved this Forum. Any way since consumer knock the doors of this Forum feeling aggrieved with the

order of I.G.R. Cell dated 21/07/2011 we find proper to direct the officials of the licensee to work out and if collected excess amount in this context, refund the amount with interest.

- 8) While parting with the matter with regret we are constrained to mention that this Forum in many cases filed by the learned representative for the consumer Shri Harshad Sheth on same issues referring relevant orders passed by the Hon. MERC and Ombudsman had given clear directions to the licensee, however it is unfortunate consumer had to knock the doors of this Forum repeating the same grievance. We hope officials of the licensee would honour the orders passed by the Competent Authority so that the very purpose of enacting the act for consumers as well as the smooth functioning of the licensee would fulfill. Consumer is also cautioned that being a customer and the licensee as custodian of the records to keep rapport so as to smoothen the transactions. It appears instead approaching the licensee consumer sitting at one place seeking help, need to be avoided. Consequently grievance application will have to be partly allowed. Hence the order :

O-R-D-E-R

- 1) The grievance application is partly allowed.
- 2) Licensee is directed to work out and if collected excess amount in this context to refund the same with interest as per the directions of Hon. Commission and the Ombudsman within 45 days and compliance should be reported to the forum within 60 days from the date of receipt of this decision.

- 3) 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”.

- 4) 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 : 13/09/2011

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

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan