



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. **K/E/1071/1291 of 2016-17**

Date of Grievance : 08/11/2016

Date of order : 23/11/2016

Total days : 13

IN THE MATTER CASE OF GRIEVANCE NO. K/E/1071/1291/2016-17 IN RESPECT OF GURERA SYNTHETICS PVT.LTD.,D-6/2, MIDC,PH-I, DOMBIVLI (E) , THANE 421 203, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING REFUND OF FAC, FROM DEC-13 TO DEC-14.

M/s. Gurera Synthetics Pvt. Ltd.,
D-6/2, MIDC, PH-I,
Dombivli (E),
Thane 421 203,
(Consumer No. 020129002400)

..... (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited
Addl. Executive Engineer,
MSEDCL, KC-(E), Kalyan S/dn-I

..... (Hereinafter referred as Licensee)

Appearance : - For Licensee : Shri Shri Kale-Nodal Officer-KC-I &
: Shri Chavan- AEE.
: Sakpal- AA

For Consumer : Shri Mantri- CR

[Coram- Shri A.M.Garde-Chirperson, Shri L.N.Bade-Member Secretary and
Mrs.S.A.Jamdar- Member (CPO)].

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 & Determination of Compensation) Regulations, 2014.’ Hereinafter referred ‘SOP’ for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014’.

2] The consumer contended that without taking approval /sanction of MERC, the MSEDCL has charged the levy of FAC methodology by circular No. 191 from billing month of December 2013. According to the consumer this FAC charged by MSEDCL from billing month of December 2013 to December 2014 is not as per post facto approval issued for charging of FAC for the respective billing month. The consumer therefore, prayed to direct MSEDCL to rework the calculation of FAC from the billing month of December 2013 to December 2014 and refund the collected amount with interest from the date of deposit till date of refund.

3] We have heard the consumer and Licensee. It was thereupon felt that matter should be sent to the IGRC for decision within a short time, as the consumer has filed the grievance before IGRC on 8/8/16, but the IGRC has not passed the order till date.

Hence, the following order is passed.

ORDER

The matter be directed to IGRC for hearing and decision.

2] IGRC is directed to decide the matter within 15 working days of the date of receipt of this order and to communicate the same to this Forum.

3] Intimation of this order be sent to the IGRC.

4] The consumer is at liberty to approach CGRF, if he is not satisfied with the order of IGRC in above grievance.

5] This matter stands disposed off.

Dated: 23/11/2016.

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

(L.N.Bade)
Member Secretary
CGRF, Kalyan

(A.M.Garde)
Chairperson
CGRF, Kalyan

Copy to :

1] Executive Engineer-cum-Nodal Officer, MSEDCL, Kalyan Circle-I, Kalyan.

2] Addl. Executive Engineer, Ulhasnagar S/dn-I,

Cswrto:- The Chief Engineer, MSEDCL, Kalyan Zone, Kalyan ---

..... for favour of information please.

