



**Consumer Grievance Redressal Forum, Kalyan Zone**  
**Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301**  
**Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in**

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**IN THE MATTER OF GRIEVANCE NO. K/E/448/505 OF 2010-2011 OF**  
**M/S. SHIVKRUPA STEEL & ALLOYS PVT. LTD., WADA REGISTERED**  
**WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE,**  
**KALYAN ABOUT EXCESSIVE BILLING.**

M/s. Shivkrupa Steel & Alloys Pvt. Ltd.  
G. No. 287, Survey No. 5,  
Village – Torne, Tal : Wada,  
Dist. : Thane – 421 303

(Here-in-after  
referred  
as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Superintending Engineer  
Vasai Circle, 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 EHV. consumer of the licensee with C. D. 4990 KVA.. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 23/11/2010 for Excessive Energy Bills. The details are as follows: -

Name of the consumer :- M/s. Shivkrupa Steel & Alloys Pvt. Ltd.

Address: - As given in the title

Consumer No : - 1)010519035030

Reason of dispute: Excessive Energy Bills.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/732 dated 23/11/2010 to Nodal Officer of licensee. The licensee filed reply vide letter No. SE/VC/Tech/IGRC/1052, dated 05/02/2011.
- 4) The forum heard both the parties on 07/02/2011 @ 14.30 Hrs. in the meeting hall of the Forum's office. Shri Harshad Sheth, Shri Vinit Sheth representatives of the consumer & Shri S. R. Purohit, Nodal Officer and Shri C. P. Mane, Assistant Engineer, 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 G. No. 287, S. No. 5, Village – Torne, Tal : Wada in the year 2009 with sanctioned load 4990 KW and

contract demand 4990 KVA. It is contended while issuing load sanction licensee added the condition of charging additional 2% energy units consumed in the monthly energy consumption. As per the provisions under Regulation all installations with contract demand above 1500 KVA and upto 3000 KVA should be supplied at 22 KV net work level, and above 3000 KVA to 5000 KVA 33 KV level should be there. However licensee supplied the power at 22 KV level contrary to SOP and from July 2009 to 5<sup>th</sup> March 2010 collected Rs. 21,71,965/- 2% penalty as voltage surcharge. According to consumer Hon. MERC in case No. 71 of 09 by order dated 5<sup>th</sup> March 2010 directed to levy voltage surcharge of 2% additional units to be billed for supply to the consumers at voltages lower than that specified in the SOP Regulation from the date of issue of this order. It is further contended that the Hon. Ombudsman by order in Representation No. 28 of 2010 dt. 30/03/2010 directed to refund the excess amount of voltage surcharge of 2% so collected prior to 5<sup>th</sup> March 2010 with interest at Bank rate as provided in Section 62 (6) of the I.E. Act 2003. Based on these orders consumer by letters dt. 19/04/2010, 05/05/2010 requested the licensee to refund the excess amount collected as per the chart enclosed but not responded. Consumer moved the I.G.R. Cell but in vain, hence filed the grievance with CGRF to direct the licensee to refund the excess collected amount as per the chart enclosed with interest.

- 6) Licensee filed reply dated 05/02/2011 mentioning the orders passed by Hon. MERC and the Electricity Ombudsman referred to supra. It is contended that the licensee challenged the above said orders by Writ Petition (stamp No. 3865 / 2011). Since the point as regards levy of 2% voltage surcharges is under dispute before the Hon. High Court, this Forum

cannot entertain such grievance vide Clause 6.7 of "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006" and therefore it will have to be disposed off.

- 7) Licensee vide application dated 09/12/2010 sought time to file reply and eventually placed on record reply on 05/02/2011, therefore delay caused in disposing the matter. Hence the order :

**O-R-D-E-R**

- 1) The grievance application is disposed off as not entertainable vide Clause 6.7 of "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006".
- 2) 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".*

Date : 16/03/2011

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

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan