

**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/537/635 OF 2011-2012 OF**  
**M/S. SAVEX SEAL PVT. LTD., VASAI (EAST) REGISTERED WITH**  
**CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN**  
**ABOUT EXCESSIVE BILLING.**

M/s. Savex Seal Pvt. Ltd.,  
Gala No. C - 9,  
Sagar Sangam Industrial Complex,  
Sativali, 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.- V consumer of the licensee with 65 HP load. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 14/09/2011 for Excessive Energy Bills. The details are as follows: -

Name of the consumer :- M/s. Savex Seal Pvt. Ltd.

Address: - As given in the title

Consumer No : - 1)002170780101 – 65 HP

2)002170284014 – 1 Phase

Reason of dispute : Excessive Energy Bills.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/594 dated 14/09/2011 to Nodal Officer of licensee. At the time of hearing licensee filed letter No. DYEE/VSI Rd E/T/5860, dated 07/10/2011 from Assessing Officer, Dy. Executive Engineer, Vasai Road, East Sub-Division.
- 4) The Member Secretary and Member of the Forum heard both the parties on 10/10/2011 @ 15.30 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 brief facts of the case are as under :
  - a) The complainant M/s. Savex Seal Pvt. Ltd. is a L.T.- V consumer having a sanctioned load of 65 HP.
  - b) It is the contention of the complainant that supply was provided to it on 4<sup>th</sup> February 1999 for which it had paid Rs. 13,650/- as six months charges.
  - c) Grievance of the complainant is that though it has paid the amount mentioned above it is not displayed on the bill.
  - d) Complainant also stated that he is entitled to get refund of connected load penalty Rs. 1,85,079/- as per MERC Case No. 02, dated 14/07/2005. It is further contended by the complainant that licensee has taken excess amount of Security Deposit of Rs. 46,650/- and requested to refund the same by keeping Rs. 30,000/- as Security Deposit. It is further contended by the complainant that he has made an application to the licensee on 25/07/2011 for disconnecting his single phase connection permanently and requested to refund the amount of Rs. 37,582/-.
  - e) It is the contention of the complainant that the entire amount be refunded by cheque and if it is possible, the same be transferred in the same name in other units existing in Vasai Circle.
- 6) Notice was issued to the licensee who appeared and filed a letter dated 05/10/2011 addressed to Member Secretary CGRF Kalyan alongwith spot inspection report, bill history, calculation sheet and a letter addressed to M/s. Savex Seal Pvt. Ltd. dated 07/10/2011.
- 7) At the time of hearing licensee contended that licensee has visited the premises of the consumer on 04/10/2011 at 10.30 a.m. and observed that consumer is using the supply for the purpose other than for which the usage of electricity was authorized / sanctioned.

- 8) According to licensee consumer is therefore liable to pay the assessed amount charged under Section 126 (ii) and (iv).
- 9) After going through the record placed before us we are opinion that prima facie this matter comes under Section 126 of Electricity Act 2003.
- 10) Spot Inspection Report which is signed by the consumer and produced on the record shows that it is a case which comes under Section 126 of Electricity Act 2003 and the Indian Electricity Act 2003 does not permit the Forum to entertain the matter which comes / falls under Section 126 of Indian Electricity Act 2003. Hence we pass the following order :

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

- 1) The grievance application stands disposed of since it does not come under the purview of the Forum as per Clause 6.8 (a) 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 : 17/10/2011

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

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan