

**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/366/419 OF 2010-2011 OF**  
**M/S. BILAL A. H. MERIDIA, VASAI REGISTERED WITH CONSUMER**  
**GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT**  
**EXCESSIVE BILLING.**

M/s. Bilal A. H. Meridia  
Gala No. 34, S.No. 1431/1 Compound  
Kaman Bhiwandi Road, Kolhi,  
Tal : Vasai, Vasai (East), Dist. : Thane

(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 C. D. 107 HP. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 24/09/2010 for Excessive Energy Bills. The details are as follows: -

Name of the consumer :- M/s. Bilal A. H. Meridia

Address: - As given in the title

Consumer No : - 001849034610

Reason of dispute: Excessive Energy Bills.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/413 dated 24/09/2010 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/VSI/E/8720, dated 11/10/2010.
- 4) The forum heard both the parties on 12/10/2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Harshad Sheth, Shri Vinit Sheth representatives of the consumer & Shri S. M. Bangar, Dy. Ex. Engr. 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) Consumer has taken electricity connection from the Distribution Licensee (DL) to the company premises situated at S. No. 1431/1, Kolhi, Vasai (East). It is contended by the consumer that in June 2009 licensee charged P.F. penalty wrongly on the basis of wrong data fed vide chart enclosed. It is contended P.F. =  $9648/9482 = 1.02$  however wrongly shown

0.79. This P.F. was shown wrongly due to mismatching data and the penalty charged to that effect is necessary to be refunded with interest. By letter dt. 03/11/09 consumer requested to refund the excess P.F. penalty but not responded hence they moved the I.G.R.Cell but in vain hence lodged this grievance with prayer to direct the licensee to refund the excess amount of P.F. penalty with interest. Vide reply dt. 11/10/10 licensee contended that recalculation of PF will be done and refund will be given by the bill in the month of Nov. 2010.

- 6) In so far PF penalty this Forum in many cases including case No. 396 of 2010 filed by the learned representative Shri Harshad Sheth referring the order of Hon. MERC in case No. 116 of 2008 clearly pointed out as regards calculation. Needless to say licensee has to calculate the P.F. penalty on month to month basis. If the P.F. comes below than 0.9 penalty may be imposed, if it goes above 0.9 then incentive has to be given to the consumer as per the directives of Hon. MERC in the case as above. According to consumer in June 09 based on wrong data incorrect penalty was imposed. Based on the MRI data in the light of the guidelines given by MERC as above and the discussion supra licensee is again directed to work out P. F. penalty on application of mind to inspire confidence among the consumers that all these efforts are for attainment of justice and not eclipse of justice and to refund the PF penalty if recovered excess, with interest to the consumer. Consequently the grievance application will have to be partly allowed.
- 7) Since large number of cases filed by the consumers from Vasai Circle this Forum was busy with those cases in addition to this members of the Forum had to hold sittings at Vasai also, therefore delay is caused in deciding this case. Hence the order.

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

- 1) The grievance application is partly allowed.
- 2) Licensee is directed to work out the amount of P. F. penalty if not paid earlier as per the directions given by Hon. MERC and Ombudsman and refund if collected excess to the consumer with R.B.I. rate of interest within 30 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 : 02/12/2010

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

(R.V. Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan