



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. K/E/1431/1683 of 2017-18

Date of registration : 01/08/2018

Date of order : 12/09/2018

Total days : 43

IN THE MATTER OF GRIEVANCE NO. K/E/1431/1683 OF 2017-18 OF M/S U.P.TWIGA FIBERGLASS LTD., PLOT NO.N40, ADDITIONAL AMBERNATH INDUSTRIAL AREA, MIDC, ANAND NAGAR, AMBERNATH (E), DIST-THANE, PIN CODE-421 501 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

M/s U.P.Twiga Fiberglass Ltd.,
Plot no.N40, Additional Ambernath Industrial Area,
MIDC, Anand Nagar, Ambernath (E),
Dist-Thane, Pin Code-421 501
(Consumer No. 021529050390) . . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution
Company Limited
Through it's Nodal Officer/Addl.EE.
Kalyan Circle-II, Kalyan . . . (Hereinafter referred as Licensee)

Appearance : For Licensee - 1) Shri. N.T.Kale, Nodal Officer, KC-II
2) Shri.A.J.Patil, DY.EE., KC-II
3) Shri. R.S.Shinde, Sr.Manager, KC-II

For Consumer - Shri.Prashant Shetty (C.R.)

[Coram- Shri A.M.Garde-Chairperson, Shri A.P. Deshmukh-Member Secretary
Mrs. S.A.Jamdar- Member (CPO)].

1) 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 Redressed 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. [Electricity Supply Code and other conditions of supply Regulations 2005]. 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.

2) Consumer herein is M/s U.P.Twiga Fiberglass Ltd. Having consumer no. 021529050390. Grievance is that in month of January - 2017, electricity bill prompt discount was not given even after paying bill before due date. Consumer further contended that the eligible prompt payment discount of Rs.72650/-not paid even after repeated follow-up since 1.5 years. Hence refund with interest from Feb-2017 is demanded.

3) Intimation given to Distribution Licensee vide Letter no. EE/CGRF/Kalyan/315 dt.01/08/2018 to which Licensee replied on 04/09/2018.

4) Distribution Licensee reply contends that :-

I) *The consumer M/s U.P.Twiga Fiberglass Ltd. Is out HT consumer. The permission for open access was granted to the consumer for the period 01/01/2017 to 31/01/2017 vide letter no. STOA/Power exchange/No.37918 dt.24/12/2016.*

II) *Due to non-fulfillment the condition of open access permission. STOA permission was withdrawn/cancelled from 13/01/2017 vide letter no.CE/Comm(OA)/00797/Dt.12/01/2017. (Annexure-A)*

III) *Bill for the month of Jan-2017 was generated as per open access permission for the period from 01/01/2017 to 13/01/2017 and the consumer for the period 14/01/2017 to 31/01/2017 as per MSEDCL tariff (regular bill). As per MR-9, consumer consumed 96680 units for above period. Hence debit adjustment amounting Rs.80,78,931.50 was taken for 96680 units for generating open access bill for the month of Jan-2017. (Annexure-B)*

IV) *Open access bill was generated on dt. 10/02/2018. The prompt payment discount of Rs.30,903.51 allowed to consumer only on bill amount of open access period bill i.e. from 01/01/2017 to 13/01/2017. Due to system error prompt payment discount on adjustment amount Rs.80,97,931.50 was not given.*

V) *Consumer applied for prompt payment discount on amount of Rs. Rs.80,78,931.50 which is added in open access bill for the month of Jan-2017 through debit adjustment. (Annexure-C)*

VI) *This office already made correspondence with head office regarding prompt payment discount on said debit adjustment. (Annexure-D)*

VII) *Now this office put up office note for approval to higher authorities regarding prompt payment discount Rs.72,650.30.*

5) We heard both sides, we find that Distribution Licensee has agreed that the said amount is charged due to system error and Distribution Licensee is following up with their higher authorities to refund the disputed amount. But even after lapse of 1.5 years they are not able to refund it and the consumer's amount is blocked unnecessarily for which he is entitled for interest.

Hence the Order

ORDER

- 1) Grievance application of Consumer is partly allowed.
- 2) Distribution Licensee to refund adjust the prompt payment discount amount as per rule with interest as per RBI rate of interest for the month of Jan-2017 in the next issuing bill.
- 3) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 12/09/2018

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

(A.P.Deshmukh)
MemberSecretary
CGRF, Kalyan.

(A.M.Garde)
Chairperson
CGRF, Kalyan

NOTE

- a) The consumer if not satisfied, may file representation against this order before the Hon. 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".
- b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or
- c) 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”

- d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.