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Consumer Grievance Redressal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S.Marg,Bhandup (W),
Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/ 218/ 438 Date: 14.11.2019

Hearing Date: 12.02.2019

CASE NO.218/2019
Mr. Prakash Textlies,
Prop.Prakash Texchandani,
Narpoli Bhiwandi-421302.

(CONSUMER NO.13012072834) (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution Company Limited
through its Nodal
Officer,
Bhiwandi Circle,
Bhiwandi.

. . . (Hereinafter referred as Licensee)

For Consumer – Mr. Pravin Thakkar - Consumer Representative.

**Appearance : For
Licensee**

- 1) Mr. Prakash Chetwani-
Member, TPL.
- 2) Mrs.Hemangi Mayekar Assist.
Gm,TPL

**[Coram- Dr. Santoshkumar Jaiswal - Chairperson, Shri. Ravindra Avhad -
Member Secretary and Sharmila Ranade - 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 subsection 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as ‘Regulation’.

The applicant has registered his request application on dated 05.11.2018 but there is no any response is given to him. He conducted to MSEDCL, Bhiwandi, but they informed that Bhiwandi Nodal unit is abolished from 01.08.2018, so he compelled to file his Petition before Hon’ble IGRC Committee on the following issues.

He submitted that TPL/BWD. Unilaterally without any intimation/information my IL single phase lighting connection load clubbed with IP- No. 13012072834 and connection was permanently disconnected and arrears of MSEDCL dues of Rs.15727/- on dated 15.08.2009 diverted on I.P. Service No. 13012072834 and additionally charged interest on this wrong amount till 30.10.2018. so the benefit of MSEDCL Amnesty Scheme, the benefit of waiver of 100% DPC and interest is not made available to him.

It is submitted that, he is a power loom consumer and power loom industry is running in slackness of the business. However, on the settlement if the 100% interest and D.P.C. is considered for withdrawal, waiver, he is ready to pay electricity units consumed amount for settlement.

He is power loom consumer, so requested to consider his case sympathetically. Kindly considered to withdrawal of 100% interest and D.P.C. amount till the date of dispatch of the order and balance amount may considered to accept as a settlement amount.

The service number 13012072834 is released in the name of M/S Prakash Textiles on 20/07/1994. The service is sanctioned for 62 HP for industrial purpose.

The service number 13012267139 was sanctioned for 0.5KW for the purpose of industrial lighting. The said service is permanently disconnected on 23.03.2018.

The company would like to mention that both the services are registered on the same name and on the same address. Further based on guidelines for recovery of arrears from PD consumer vide MSEDCL letter no. 19021 dated 06.07.2013, arrears for

service 13012267139 amounting to Rs. 31,087/- were transferred to the service 13012072834. However Service no. 13012072834 is having pending MSEDCL dues of Rs. 32,566/- as on date.

The service was handed over to Torrent Power Limited on 26th January 2007 after which the applicant is not having any grievance against Torrent Power Limited regarding the billing of the service and also the payments are regularly received.

Please note that the subject matter of the consumer complaint pertains to the period prior to take over by Torrent Power Ltd i.e. 26th January, 2007. Hence, we request MSEDCL to file appropriate reply in Hon'ble Forum and advise us for further course of action in this matter.

MSEDCL filed his reply dated 04.01.2019 stating that both connections are in the name of Applicant, but there cannot be different connections for same tariff category in one premises as per MERC Rule. M/s. TPL clubbed services of consumer No.13012072834 and 13012267139 in view of above provision on dt.15.08.2009 by means of which the lighting load is being recorded in the industrial meter with the same tariff. Hence, the arrears on this lighting load were automatically transferred on the main meter IP13012072834. They further reply on MERC Regulation 6.9 which reads as under

"Forum may reject the Grievance at any stage if it appears to it that the Grievance is: frivolous, vexatious, malafied;"

The application is wrongly delayed and therefore dismissed the case.

We heard both sides, and gone through submission made by applicant, TPL as well as MSEDCL. It appears admittedly that both the electricity connections are in the name of applicant himself. It is the Rule of MERC that both the connections cannot be granted on the same tariff. The application is filed at very delayed stage. There is no step of order form IGRC. Therefore we found no merit in the applicant. Hence, we pass following order.

ORDER

This application is hereby dismissed.

No order as to the cost.

I Agree/Disagree

I Agree/Disagree

**MRS. SHARMILA RANADE,
MEMBER
CGRF, BHANDUP**

**Dr. SANTOSHKUMAR JAISWAL
CHAIRPERSON
CGRF, BHANDUP**

**RAVINDRA S. AVHAD
MEMBER SECRETARY
CGRF, BHANDUP**

The order is issued under the seal of Consumer Grievance Redresses Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

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, Keshav Building,Bandra - Kurla Complex, Bandra (E),Mumbai - 400 051"
- b) b) consumer, as per section 142 of the Electricity Act, 2003, can approach Hon'ble Maharashtra electricity Regulatory Commission for non- compliance, part compliance or
- c) Delay in compliance of this decision issued under" Maharashtra Electricity Regulatory Commission (consumer Redressed Forum and 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.