

**CONSUMER GRIEVANCE REDRESSAL FORUM  
M.S.E.D.C.L., Bhandup Urban Zone, Bhandup**

**Case No. 266/2018**

Date of Grievance: 26.12.2018

Date of Hearing : 22.01.2019

Date of Order: **EE/CGRF/BUZ/460 dtd.26.11.19**

**In the matter of billing**

M/s. Centretech B-1/A,  
7th floor, B-wing, Ashar IT Park Road No. 16Z,  
Wagle Estate, Thane -4000604.  
(Consumer No. 000011382711)

VS

The Executive Engineer, ----- Respondent  
M.S.E.D.C.Ltd.,  
Thane Circle,  
Thane.

**Quorum:**

1. Dr. Santoshkumar Jaiswal, Chairman.
2. Shri. Mr. Ravindra Avhad, Member Secretary.
3. Mrs. Sharmila Ranade, Member.

**Present during the hearing:-**

**A] - On behalf of Appellant**

Dr. Sanjivkumar Dhamanse- Consumer Representative

**B] - On behalf of Respondent**

Mr. Rajendra Marke, Addl. Executive Engineer, Wagle  
Estate Sub Division.

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 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 sub-section 5 to 7 of section 42 of the

Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'.

2. The Applicant have received a letter from Addl. Executive Engineer, MSEDCL regarding tariff recovery from industrial to commercial from the period June 2015 to July 2017 amounting to Rs. 68410.00 which is shown in current dtd. 07.06.2018 bill as principal arrears Rs. 69628/-, current interest Rs. 999/- and interest arrears Rs. 4924/- thus total of Rs. 75551/-.

He would like to bring to notice that after taking letter of intent and registering company with district Industries Centre he can apply for the permanent registration only after completion of 3 years period as he has to submit turnover of 3 years period to the DIC in his application. So after completion of 3 years period he has applied for permanent registration and he has got the same. From 27.08.2013 to the dtd. 26.10.2017. He has applied carrying out only IT related activities in his company and therefore after due verification from the office of General Manager, Dist. Industries Centre, Thane. He has issued to him permanent IT registration on 25.10.2017.

In similar case of consumer Suresh babu and Partners having consumer no. 000011310117 MSEDCL waived off Rs. 546460/-. Also MSEDCL has cancelled the recovery as per his guidelines in case of M/s. Marathe Infotech Pvt. Ltd., & M/s. Adnobe India with the similar law please off his recovery charges.

3. The respondent submits that, it is to state that the above said consumer has been given assessment bill of Rs. 68410/- for the period June 2015 to July 2017 retrospective recovery for IP to commercial tariff difference as plain recovery. \the recoveries under IP to commercial i.e. for due to non available of permanent IT registration certificate are challenged by various consumers in CGRF and Electricity Ombudsman in case of M/s. Marathe Infotech Pvt. Ltd., & M/s. Adnobe India. As well as in case of M/s/ Dharmachand Paraschand Export Electricity Ombudsman Case No.28/2018, the CGRF as well as CGRF as well as Electricity Ombudsman had quashed the retrospective recovery on account of tariff difference period to date of inspection. Also the retrospective recovery charges for consumer M/s. Suresh Babu and Partners are also cancelled on the above said base by the Executive Engineer, Wagle.

It is kindly requested to please issue guideline regarding refund of retrospective recovery charged for non permanent IT registration certificate in r/o M/s. Centretech as per the consumer request letter.

4. On hearing both sides, and going through the letter of CE (Commercial) for getting registration certificate IT/ITES and the Circular effect from prospective effect. The applicant filed the certificate issued by District Industries Centre, Thane and certify that M/s. Centretech given the letter of intent IT/ITES and it is valid for the period of 3 years from the date of issued date 27.08.2013 with condition that no space utilize for any other activities.
5. We have gone through the other letter dtd. 25.10.2017 issued by General Manager, Dist. Industries Centre, Thane granted registration of IT services for 3 years from the date of issued dtd. 25.10.2017.

We have heard both sides, and gone through the submission made by both the parties. It appears that clearly from this certificate that the applicant is using the electricity supply from the utility for the purpose of IT/ITES. According to 2 letter of District Industries Centre, Thane the recovery by commercial rate demanded by respondent is not proper.

Hence, we proceed to pass the following order:

#### **ORDER**

1. This application is hereby allowed.
2. The respondent shall hereby consider the electricity connection of the applicant as a valid IT/ITES tariff.
3. No order as to the cost.
4. The Licensee is directed to report the compliance within one month from the date of this order.

**I Agree/Disagree**

**I Agree/Disagree**

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

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

**MR. RAVINDRA 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.