

RELIANCE INFRASTRUCTURE LTD.
FORUM FOR REDRESSAL OF CONSUMER GRIEVANCES.

(to be submitted along with schedule A)

Case No. 08/2009

1	Name of the Applicant:- (in block letters)	M/s Swastik Realtors
2	Contract Account/Application No	150559786
3	Division	East Zone
4	Tariff Category (LT1, LT2.....)	IND-LTP2 / LT-VII (Temporary)
5	Category (Residential, Commercial, Industrial)	Temporary Meter (Construction)
6	Nature of Complaint. (Excess Billing, Supplimentary bills, Tariff change....)	Recovery of unrelated old arrears
7	Disputed Amount	Rs. 8,71,480
8	No. & Date of First Complaint	16-10-2007
9	Is the Amount charged U/s 126/135 of Electricity Act.(i.e. for Unauthorized use of Electricity or Theft of Electricity)	No.
10	Date of registering of Complaint with RInfra and with Name & Designation of the concerned Officer.	16-10-2007
11	Name & Designation of the Officer Contracted give details of the discussion and Orders issued.	Mr. R Nerukar (Recovery Dept)
12	Action take up by RInfra in mitigating the Grievance and letter thereof	None
13	Date of intimation to Internal Grievance Redressal cell of RInfra	15-05-2009
14	Date of Acknowledgement given by Internal Grievance Redressal cell of RInfra.	15-05-2009
15	Name & Designation of RInfra Internal Grievance Redressal cell Officer.	Ms. Poornima Niralay
16	Letter from Internal Grievance Redressal cell of RInfra stating the action taken by RInfra in respect of the Grievance	12-06-2009
17	Any other matter you like to state regarding grievances redressal by RInfra	None

SCHEDULE A

Application to forum for redressal of grievance

Date: 15/06/2009

1. Name of the consumer: **S W A S T I K R E A L T O R S**

2. Full address of the consumer: **1 2 7 S W A S T I K D I S A C O R P O R A T E P A R K L B S R O A D G H A T K O P A R W E S T M U M B A I**

Pin code: **4 0 0 0 8 6**

Phone no.: **6 6 8 9 0 0 0 0**

Fax no.: **6 6 8 9 0 0 3 0**

Email ID:

3. Particulars of connection and consumer no. **TEMPOARY FOR CONSTRUCTION PURPOSE**
(Please state nature of connection) **CONSUMER NO.: 150559786, METER NO.: 7813870**

4. Distribution licensee **RELIANCE INFRASTRUCTURE LTD.**

5. Details of the grievance, facts giving rise to the grievance **AS ATTACHED**
(If space is not sufficient please enclose separate sheet)

6. Date of original intimation of grievance by the consumer to the distribution licensee
(Internal Grievance Redressal Cell) **15-05-2009**

7. Remedy provided by the distribution licensee, if any **NONE**

8. Nature of relief sought from the forum **REFUND REVERSAL OF UNRELATED OLD ARREARS**
(Please enclose any proof to support claim, if any) **AMOUNTING TO RS.8,71,480/-**

9. List of documents enclosed **AS ATTACHED**
(Please enclose copies of any relevant documents which support the facts giving rise to the grievance)

Swastik realtors@rediffmail.com

10. Declaration

- a. I/ We , the consumer /s herein declare that:
 - i. the information furnished herein above is true and correct; and
 - ii. I/ We have not concealed or misrepresented any fact stated hereinabove and the documents submitted herewith.
- b. The present grievance has been intimated to the Distribution Licensee in the form and manner and within the time frame prescribed by the Distribution Licensee and I/We am/are not satisfied by the remedy provided by the Distribution Licensee or no remedy was provided within a period of two (2) months from the date of original intimation.
- c. The subject matter of the present grievance has never been submitted to the Forum by me or by any one of us or by any of the parties concerned with the subject matter to the best of my/our knowledge.
- d. The subject matter of my/our grievance has not been settled through the Forum in any previous proceedings.
- e. The subject matter of my/our grievance has not been decided by any competent authority/court/arbitrator, and is not pending before any such authority/court/arbitrator .



Yours faithfully
 (Signature)

HIREN SHAH (M/S. SWASTIK REALTORS)

(Consumer's name in block letters)

Nomination - (If the consumer wants to nominate his representative to appear and make submissions on his behalf before the Forum, the following declaration should be submitted.)

I/We the above named consumer hereby nominate
 Shri/Smt _____
 who is not an Advocate and whose address is _____

as my/our REPRESENTATIVE in the proceedings and confirm that any statement, acceptance or rejection made by him/her shall be binding on me/us. He/She has signed below in my presence.

ACCEPTED

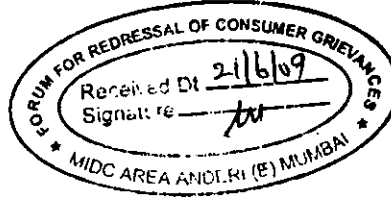
 (Signature of Representative)

 (Signature of Consumer)



June 19, 2009

To :
C.G.R.F (Consumer Grievance)
Consumer Central Building
2nd Floor, E/4 (ii), MIDC
Andheri (E), Mumbai



Subject : Refund of unrelated arrears of Rs 8,71,480
REF : Old arrears of M/s Varma Mukherjee & Laxmi Narayan Hariram Mehta

Dear Sir,

The matter under grievance is regarding recovery of arrears as old as 1995 (as per system records 1999) which were recovered from us i.e M/s Swastik Realtors in order to obtain their Temporary Electric Meter connection on 07-07-2007 bearing account no : 150559786, and we paid the amount of Rs. 8,71,480 under protest

~~The recording of Internal Grievance Redressal Forum (IGRF) hearing, are as follows~~

1. It was noted that M/s Raj Rajeshwari & Associates were the occupiers of the premises "Varma Mukherjee Compound" as per Development Agreement dated 31st July 2002 since there are several sub-divisions of CTS numbers clearly indicated in the Agreement.
2. The said M/s Raj Rajeshwari & Associates applied for construction meter as well as permanent connections.
3. The construction was completed around year 2005 and the building is now called as "Rajshree Plaza" and permanent meters were issued to the developers as per proof of one of the commercial users bearing the same address is attached to this letter.
4. As per records with M/s Reliance Infrastructure Ltd, no supplementary bills were raised to M/s Raj Rajeshwari & Associates.
5. An Internal correspondence email dated 31-05-2007 was found to be addressed to Mr. Nerukar regarding recovery from Neelkanth Group indicating failure to recover dues.

Despite written communication of the letter dated 16-10-2007 and in person follow ups we have got no response. On our further investigation and under RTI we have managed to obtain Developer Agreement as a proof of development on plot of Varma Mukherjee premises and also the proof that they have obtained temporary as well as permanent electric connections as on date without clearance of arrears.

P. T. O

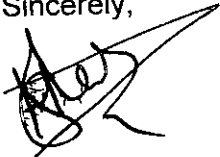
SWASTIK REALTORS

127, Swastik Disa Corporate Park, Kohinoor Textile Printing Compound, Opp. Shreyas Cinema,
L. B. S. Road, Ghatkopar (W), Mumbai-400 086. • Tel.: 6689 0000 (25 Lines) • Fax : 6689 0030
Email : info@swastikproperties.com • Website : www.swastikproperties.com

As per the above mentioned facts and attached documentation we had also approached the IGRF officer Ms. Poornima Niralay for the refund of amount of Rs 8,71,480 along with interest on arrears under protest amounting to 2,09,155.20 be made back to M/s Swastik Realtors but grievance was not entertained and further the order was passed that Rlnfra was entitled to recover dues under section 56(1) under Electricity Act 2003 which is bad in law since we are neither the consumers, occupiers, owners, legal heirs nor developers of the premises where the arrears in question. Further to this, the actual consumption of units is 0 and the charges are simply comprised of Demand Charges and Delayed Payment Charges and not actual consumption of electricity.

Hence ~~under~~ we are now compelled to approach the CGRF to kindly consider the above facts and advice REL to arrange for the refund as mentioned above

Thank you,
Sincerely,



Hiren Shah
9820994342

- Encl : 1. Development Agreement of M/s Raj Rajeshwari and Associates (31.07.02)
2. Existing society bill with service address as proof and who's permanent was allotted by Reliance Infrastructure Ltd (Dec 2004)
3. I.G.R.F recording by Rlnfra (22.05.2009)
4. I.G.R.F recording by M/s Swastik Realtors
5. Letter for seeking Grievance (20.05.2009)
6. Query letter by Swastik Realtors (16.10.07)

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