

**Consumer Grievance Redressal Forum  
Maharashtra State Electricity Distribution Co. Ltd.  
Bhandup Urban Zone, Bhandup**

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/00124

Date : 01/04/2008

Case No. 158

Hearing Dt. 04/03/2008

**In the matter of waiver of Interest on delayed payment**

<b>Maharashtra Small Scale Ind. Development Corpn. Ltd., Thane</b>	-	<b>Appellant</b>
Vs.		
<b>MSEDCL, Wagle Estate, Thane</b>	-	<b>Respondent</b>

**Present during the hearing**

**A - On behalf of CGRF, Bhandup**

- 1) Shri S.L. Kulkarni, Chairman, CGRF, Bhandup.
- 2) Shri S.B. Wahane, Member Secretary, CGRF, Bhandup.
- 3) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

**B - On behalf of Appellant**

- 1) Mr. P.M. Naik, D.M., MSSIDC, Thane
- 2) Mr. A. Bhide, MSSIDC, Thane

**C - On behalf of Respondent**

- 1) Mr. M.A. Trumbake, Dy. Ex. Engr.
- 2) Mr. P.R. Kadulkar, Thane.

**PREAMBLE :**

The consumer registered his grievance with this Forum on 18<sup>th</sup> Feb. 2008 vide case No. 158. The hearing date was fixed on 04/03/2008 at 12.00 hrs. consumer was aggrieved with the decision of ICGRU vide reference No. SE/THNUC/TS/ICGR/460, dated 23<sup>rd</sup> Jan 2008.

**CONSUMER'S SAY:**

MSSIDC Ltd. is having electricity connection vide consumer No. 0000120211018 at plot No. D-10, Road No. 33, Wagle Estate, Thane. MSSIDC Ltd. is having three phase connection with 5.2 kW load. This premises was used only for godown and storing the materials. No manufacturing activity was carried out by the office.

During the year 1998-99 due to Industrial sickness and heavy octroi charges, MSSIDC Ltd. stopped the raw material activity from the above mentioned premises. Hence the period 1998 to 2002 the godown was closed and premises was un utilised.

From June 1999 to Feb-2004, they had not received any electricity bill and then they received the bill in the month of December 2005 for Rs. 4,87,000/- for 72 months.

They also stated that their premises was locked for the period from 1998 to 2002 and they were not using any electricity hence the bill amount for Rs. 4,87,000/- was abnormal and huge.

The requested the utility to submit month wise bill for 72 months. But utility did not take any cognizance of their letter. Utility had threatened them for non-supply of electric supply. Hence MSSIDC Ltd. was forced and left with no alternative to make payment. As they had not enough fund to make the payment they requested utility for installments.

They also reiterated that considering MSEDCL, as a Govt. company and mark of gesture their corporation had decided to make payment they had made entire payment of utility's bill.

However, they were surprised to understand that MSEDCL had charged interest for delayed payment for Rs. 48000/-. They approached ICGRU, Thane Circle against this decision of the utility. ICGRU had directed them to make the delayed payment charges, as there was no provision of waiver of interest.

**Prayer of the consumer.**

- 1) Month wise break up of the bill.
- 2) Waive the interest charged for payment made by them in installments.

**UTILITY'S SAY:**

- 1) The consumer's billing was stopped since March 2001 to March 2004.
- 2) The billing was started in the month of April 2004 with meter no. 9795988. The same meter no. was shown in the month of Feb-2001.

- 3) The consumer was being billed from April 2004 with the initial reading of Feb-2001 for 630 units as per C.P.L.
- 4) In the month of August meter replacement was shown on CPL with the reading 61545 units for 72 months amounting to Rs. 3,60,497.52
- 5) Consumer had made payment in installments.
- 6) As per Asstt. Engr., Wagle Estate sub-division, two other galas were using unauthorized electricity by the same meter. On spot verification of the said premises it was found that powder coating manufacturing unit in two galas were running the business. The owner/occupier showed the Xerox copies of agreements of lease deed.

**OBSERVATIONS:**

From 1998-99 due to industrial sickness, MSSIDC Ltd. had stopped the activities upto Feb-2002. During the period the godown was closed and premises was unutilized. But as per CPL, it is observed that there is a consumption shown till Feb-2001 with RNA and Reject status. The average billing was done from Feb-1999 to April-1999 and December-1999 to Feb-2001. After 2001 the meter No. 9795988 was made PD upto Feb-2004. Then consumer was billed on average basis with meter changed status with same meter number.

However, CPL shows meter changed in the month of August-2005 with new meter no. 765393 with 61545 units.

The consumer did not get electricity bills from June 1999 to Feb-2004.

Utility sent the bill for 72 months with cumulative units of 61545 amounting to Rs. 373055.50, which was received to this office in the month of December-2005 with Rs. 485000/-. Here the main objection taken by consumer (MSSIDC) that not giving energy bills for about four years despite repeated demand and charging interest appears to be genuine grievance. Certainly utility failed in its duties. Therefore, the request of the consumer to waive the interest of Rs. 48,000/- clearly appear genuine.

### **ORDER**

Since the consumer has paid the principal amount, he should not be charged interest on it for the reasons stated above.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 1<sup>st</sup> of April 2008.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman

The Electricity Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606, Keshav Building,  
Bandra - Kurla Complex, Bandra (E),  
Mumbai - 400 051.

2) If utility is not satisfied with order, it may go in appeal before the Hon. High Court within 60 days from receipt of the order.

**MRS. M.P. DATAR**  
**MEMBER**  
**CGRF, BHANDUP**

**S.L. KULKARNI**  
**CHAIRMAN**  
**CGRF, BHANDUP**

**S.B. WAHANE**  
**MEMBER SECRETARY**  
**CGRF, BHANDUP**