

CONSUMER GRIEVANCE REDRESAL FOURM

Maharashtra State Distribution Co. Ltd.

Ph. No. 25624316

Consumer Grievance Redresal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078.

REF.NO. Secretary/CGRF/MSEB/BNDUZ/C-25/

Date :

To

The Executive Engineer,
O&M Division, Bhandup,
Ishwar Nagar, **MUMBAI - 78.**

SUB : Complaint received from your consumer
M/s. Devendra Machinery & Fabricators Pvt.Ltd. (case No. 25/05).

Dear Sir,

We are in receipt of above said complaint we are enclosing complaint papers for your parawise comments under section 42 (5) of electricity act 2003 and its extension. You are advised to submit your parawise comments and relevant papers to Forum within 15 (fifteen) days, failing which Forum will proceed for grievance redressal on the merits of material record available with Forum please note.

Encl : As above

Forum

Secretary
Consumer Grievance Redresal

M.S.E.B., Bhandup Zone

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REF.NO. Secretary/CGRF/MSEB/BNDUZ/C-25/

Date :

To

Executive Engineer,
O&M Division,
Bhandup, **MUMBAI - 78.**

In accordance to the powers bestowed with Consumer Grievance Redressal Forum (i.e. CGRF) vide Section 6.10 of Chapter II of MERC regulations, Consumer Grievance Redressal Forum, MSEB, Bhandup Urban Zone summons you for the hearing of Grievance No. 25 of consumer M/s. Devendra Machinery & Fabricators Pvt. Ltd., consumer No. 5103997 on the 29th day of March, 2005 at 11.30 hrs. at the following address. In your absentia, the Forum shall decide the Grievance exparte on merits of data and argument available, please note.

Address : Consumer Grievance Redresal Forum's Office
"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078.

Forum

Secretary
Consumer Grievance Redresal
M.S.E.B., Bhandup Zone

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"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078.

REF.NO. Secretary/CGRF/MSEB/BNDUZ/C-25/

Date :

To

M/s. Devendra Machinery & Fabricators Pvt.Ltd.,
2/22-23, S.P.S. Industrial Estate,
Bhandup, **Mumbai - 400 078.**

Dear consumer,

In accordance to the powers bestowed with Consumer Grievance Redressal Forum (i.e. CGRF) vide Section 6.10 of Chapter II of MERC regulations, Consumer Grievance Redressal Forum, MSEB, Bhandup Urban Zone summons you for the hearing of Grievance No. 25 of consumer No. 5103997 on the 29th day of March, 2005 at 11.30 hrs. at the following address. In your absentia, the Forum shall decide the Grievance exparte on merits of data and argument available, please note.

Address : Consumer Grievance Redresal Forum's Office
"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078.

Thanking you,

Yours faithfully

Secretary
Consumer Grievance Redresal Forum
M.S.E.B., Bhandup Zone

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Consumer Grievance Redresal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078.

REF.NO. Secretary/CGRF/MSEB/BNDUZ/C-25/

Date :

To

M/s. Devendra Machinery & Fabricators Pvt.Ltd.,
2/22-23, S.P.S. Industrial Estate,
Bhandup, **Mumbai - 400 078.**

SUB : Hearing of case No. 25 of consumer No. 5103997.
REF : Your application DMF/L-127/2004-05, dt. 28/03/05.

Dear consumer,

Your above referred application was put up with the Forum for consideration. Forum have accepted your request. Next date hearing of your grievance has been fixed as 12th April 2005 at 11.30 hrs. at Forum office. In your absentia, the Forum shall decide the grievance exparte on merits of data and argument available, please note.

Thanking you,

Yours faithfully

Forum

Secretary
Consumer Grievance Redresal
M.S.E.B., Bhandup Zone

c.f.w.cs. to :

The Executive Engineer, O&M Divn., Bhandup.

-- He has not submitted parawise comments yet as requested vide this office letter dated 9th March 2005. Forum has taken up the matter seriously. He is also requested to attend the hearing of above consumer on date and time as stated above.

CONSUMER GRIEVANCE REDRESSAL FORUM

Maharashtra State Electricity Board

Ph. No. 25624315

Consumer Grievance Redresal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078.

REF.NO. Secretary/CGRF/MSEB/BNDUZ/C-25/

Date :

To

M/s. Devendra Machinery & Fabricators Pvt.Ltd.,
2/22-23, S.P.S. Industrial Estate,
Bhandup, Mumbai - 400 078.

SUB : Hearing of case No. 25 of consumer No. 5103997.

REF : This office letter No.

Secretary/CGRF/MSEB/BNDUZ/C-25/2385, dt. 31/03/2005.

Dear consumer,

With reference to our letter referred above, the hearing of your case was fixed on 12th April 2005. Due to unavaoidable circumstances, the hearing of your case as intimated to you as 12th April 2005 has been postponed to 19th April 2005 at 11.30 hrs. at the address mentioned in the previous letter.

Thanking you,

Yours faithfully

Secretary
Consumer Grievance Redresal

Forum

M.S.E.B., Bhandup Zone

c.f.w.cs. to :

The Executive Engineer, O&M Divn., Bhandup.

-- For similar action please.

CONSUMER GRIEVANCE REDRESSAL FORUM

Maharashtra State Electricity Board

Ph. No. 25624315

Consumer Grievance Redresal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078.

REF.NO. Secretary/CGRF/MSEB/BNDUZ/C-25/
To

Date :

M/s. Devendra Machinery & Fabricators Pvt.Ltd.,
2/22-23, S.P.S. Industrial Estate,
Bhandup, Mumbai - 400 078.

SUB : Hearing of case No. 25 of consumer No. 5103997.

REF : This office letter No.

Secretary/CGRF/MSEB/BNDUZ/C-25/2660, dt. 08/04/2005.

Dear consumer,

As per your suitability, the hearing of your grievance was kept on 19/04/2005. You have neither attended the Forum on date and time fixed for hearing not put up the application for adjournment.

Forum has decided to give you one more opportunity and refixed the hearing on 03/05/2005 at 11.30 hrs. at Forum office.

If you fail to attend the hearing this time, exparte decision will be taken after hearing the party present and on the merits, please note.

Thanking you,

Yours faithfully

Secretary
Consumer Grievance Redresal Forum
M.S.E.B., Bhandup Zone

c.f.w.cs. to :

The Executive Engineer, O&M Divn., Bhandup.

-- For similar action please.

CONSUMER GRIEVANCE REDRESAL FOURM

Maharashtra State Distribution Co. Ltd.

In the Consumer Grievance Redressal Forum at M.S.E.B., Bhandup U Zone,
Vidyut, Gr. Floor, L.B.S. Marg, Bhandup (W), Mumbai - 78

Case No. 25 Of 2005

Date : 03/05/2005.

Grievancee

M/s. Devendra Machinery &
Fabricators Pvt. Ltd.,
2/22-23, S.P.S. Industrial Estate,
Bhandup, Mumbai - 400 078.

Utility : Executive Engineer
O&M Divn., Bhandup

Shri D.D.H. Sharma, Director, M/s. Devendra Machinery and Fabricators is present. From utility Shri P.P. Borkar, Asstt.Engineer and Shri R.S. Shinde, Divisional Accountant are present.

Shri D.D.H. Sharma represented grievance.

In this case consumer's say is as under:

My connection was given in 1992. MSEB was sending bills on average basis. I had informed MSEB in writing that I should be charged as per consumption. But I did not receive any response from MSEB. I send them three letters within 1 ½ years and clearly mentioned that I should not be held responsible for non compliance of payment if they are sending me a consolidated bill which they never replied till today. Though I represented personally 20 to 25 times for the correction of bill but there was no response. Ultimately after 2 years they send me a bill of Rs. 1,50,000/-. I asked for bifurcation that how MSEB had arrived at this amount and what are the calculations. But I did not receive any reply. MSEB started harassing me & threatening me & disconnecting the supply. Ultimately a meeting was held with Executive Engineer at MSEB office station road, Bhandup. I was told to pay the part amount and we will settle the matter. But the matter was not settled though previous to this I was paying regular bills what I was getting from the MSEB. After paying this part amount which was settled in a meeting with MSEB never bothered to rectify the bills. In the meantime meter reader of MSEB informed us that your meter is faulty. I gave a letter to MSEB stating that, as your meter reader had informed us that the meter is faulty, please change the meter. No action was taken for another eight weeks. We were getting exorbitant bills. Again we approached Ex. Engr. & Dy. Ex. Engr. to rectify the bills and send us power bills as per consumption. Then parallel meter was installed. At the time of installation, they have taken our signature and the revised bill was sent as per the meter. We were told to pay the amount. We took 5 instalments and paid Rs. 30,000/- as 1st installment.

In the second month we got the bill as per settlement amount after giving credit of Rs. 30,000/- which we have paid.

But in the 3rd month we again received the bill with old amount which we took the objection and protested to MSEB but no rectification was done. We informed the MSEB that after so many meeting we have again reached at the same point from where we have started.

Then again we had meeting with Ex.Engr. & Dy.Ex.Engr. & D.A. and it was settled that MSEB will give the credit whatever excess amount have been charged and told us to apply for Industrial connection which we have applied for but at our surprise no credit was given. On the contrary MSEB had disconnected the supply and transferred the said amount on another company. And our supply is disconnected. My prayer is the supply should be reconnected.

Forum : Whether the industrial connection as guided by MSEB was taken in the name of Devendra Machinery or any other sister concern.

Consumer : In the name of Devendra Machinery.

Utility say :

In October 1999, revised bill for Rs. 1,69,534/- was issued to consumer and consumer had agreed to pay vide letter No. DMF/L/077/99-2000, dtd. 28/12/1999 and requested for first installment of Rs. 25,000/- and further amount in 5 to 6 instalments. Above application was approved.

Consumer had paid 1st installment of Rs. 25,000/- in January 2000. In March 2000 credit adjustment was given of Rs. 3,17,649/-. Meter No. 996086 was replaced on 11/12/1999 by meter No. 996163. From Jan. 2000 to Sept. 2000 bill issued on average of 1600 units per month & in Oct. & Nov. on average of 800 per month. The bills issued on average were revised as per reading in Dec. 2000 bill and debit given of Rs. 68,294.42. From December 2000 to February 2001 bill issued as per reading. Consumer's supply permanently disconnected on 28/02/2001 with final reading 22275. Average bills issued in the month of March 2001 & April 2001 for units 990 per month were revised & necessary credit of Rs. 12,656/- with interest of Rs. 2232.94 was given in June 2001.

As per consumer's application vide letter No. DMF/L 100/2001, dtd. 28/02/2001 supply was disconnected on 28/02/2001.

No industrial connection given in the name of M/s. Devendra Machinery.

On date 29/10/2004, meeting was held with consumer Shri Devendra Sharma and MSEB. Consumer has agreed to transfer the arrears of M/s. Devendra Machinery on the connection in the name of M/s. Steel Chain Conveyors, Bhandup and agreed for final readings of both the meters.

On 25/08/1993 consumer has made payment of Rs. 239/- then after 15 months consumer made payment of Rs. 25,000/- on 17/11/1994, then on 19/09/1995 Rs. 15,000/-, on 31/10/1995 Rs. 10,000/-, on 09/02/1998 Rs. 16,242.57, on 23/07/1998 Rs. 10,000/-, on 01/04/1999 Rs. 1,07,737/-, out of cheque of Rs. 30,000/- was bounced on 31/01/2000, paid Rs. 50,000/- on 09/03/2000 Rs. 25,000/- on 31/03/2000 Rs. 25,000/- on 31/10/2000 Rs. 30,000/- cheque bounced.

Consumer's say :

MSEB should settle the dispute bill amount and collect payment from M/s. Devdarshan Machinery Pvt.Ltd. and reconnect the industrial supply.

Observations

1. From CPL it is seen that consumer was not paying regularly even after settlement in personal meeting even though agreeing an amount that is due from him. Consumer asked instalments and did not fulfil his promise to pay instalments. He

paid only one installment of Rs. 30,000/-. He did not pay installment in next month. It is also found that his cheques bounced.

2. For non payment consumer put forward that bill were not correct. He tried to get the problem sorted out but could not grant utility time to effect the agreed things in bills. And simply did not pay the instalments.
3. Utility has already effected the promised changes but bills appeared exorbitant as consumer was not regular in paying his bills.
4. Utility has not replied on correspondence of consumer but in personal meetings sorted out problems to which consumer has agreed.
5. Finally consumer preferred disconnection & shifted the office to Steel Chains premises where his son is Director and requested to transfer the arrears to Steel Chain. But did not issue the letter from Steel Chain accepting the liability instead confirmed it telephonically.
6. According to CPL in the month of July 1995, 11590-10176=1414 units should have been charged but utility has charged 2114 i.e. 1000 units extra. This time meter is changed but CPL does not show this on that account. This might be the consumption recorded on old meter during the billing period of July 1995. Prior to this a check meter was fixed & the bills have been raised on old meter for 231 units in Jan. 1995, 1036 units in March 1998 & 1200 units in May 1995. Total units paid by consumer 2467 units. Then in July slow meter was removed and bill was raised for 2114 units which is recorded consumption on new meter is 1414 units plus 1000 units recorded on old meter.
7. Consumer feel that he has been allotted industrial connection as he received different format of bill but utility say it is not true as tariff is of commercial connection & same is confirmed as Industrial tariff not applied. MSEB has not sanctioned any change of category or any Industrial load. Consumer failed to submit such documents.
8. Utility has given the credit of Rs. 1,54,270/- in Feb. 2001 which was wrongly debited in the Month of December 2000. In the month of March 2000 credit is given for Rs. 3,17,649/-
9. It is true that MSEB has changed the consumer No. from 5103997 to P- 15016/9 and also mentioned old consumer no. on bill. This action of printing both consumer numbers on the bill is due to change of billing period from bimonthly to monthly.
10. MSEB is unable to provide old record prior to 1994. Also consumer has not submitted any record prior to 1994.
11. Final amount due from consumer is 2,49,880/- as on May 2003 is transferred to "Steel Chain" as per the instruction of consumer to utility. Who has failed to give consent of M/s. Steel Chain in writing and consumer has agreed to pay this amount from Devendra Machinery Fabricators and has requested for reconnection.

With the past experience of this consumer, utility should release the connection only after receiving the arrears along with interest till date and treat the reconnection as new connection as it is permanently disconnected for more than 2 years. Utility, with its past experience with consumer, can have special agreement if utility may please. So utility should revise the bill along with DPC & interest of Devendra Machinery & Fabricators Pvt. Ltd. from account of Steel Chain and recover it from Devendra Machinery & Fabricators Pvt.Ltd. & release connection as new connection as it is permanently disconnected for more than 2 years.

12. It is true that till 29/10/2004 consumer did not request transfer of arrears to Steel Chain account but as it was permanently disconnected the effect might have been shown at last bill raised and consent of consumer.

Order

1. Consumer should pay the arrears with up-to-date interest.
2. MSEB has disconnected connection as per the request of the consumer. Hence he has to apply for new connection/reconnection as per MSEB rules.

The order is issued under the seal of consumer Grievance Redressal Forum Maharashtra State Distribution Co. Ltd., Bhandup Urban Zone on 8th Of June, 2005.

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

Address of the Ombudsman

Ombudsman,
Maharashtra Electricity Regulatory Commission,
606-608, Keshav Building,
Bandra - Kurla Complex,
Mumbai - 400 051.

2) If utility is not satisfied with order, it may apply to MERC within 60 days from receipt of the order.

Sandeep Pasarkar
Member
Consumer's Grievances
Rederssal Forum

G.R. Jadhav
Member Secretary
Consumer's Grievances
Rederssal Forum

P. A. Mane
Chairman
Consumer's Grievances
Rederssal Forum