

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

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

Date:

Case No. 58

Hearing Dt. 21/04/2006,  
24/04/2006

The consumer Shri Chandrakant R. Kandelwal has put up his grievance without schedule 'A' form on 01/02/06 vide inward No. 1353 which is registered at sr. No. 58 on dated 01/02/06 and was informed to submit his grievance in schedule 'A' form vide this office letter No. CGRF/MSEDCL/639,dt.04/02/06 but not approached. However the hearing date is fixed on 21/04/06 at 11.00 hrs & registered A.D but did not attend the hearing on 21/04/06. While enquiry made with on phone for his absence he replied that he is unaware of the fact though the letter was acknowledged by him and requested to extend the hearing date which is fixed on 24/04/06 at 12.00 first hearing date 21/04/6 at 11.00 hrs.

Consumer side

1 No representative was present hence date  
Extended on 24/04/06 at 12.00 hrs

1) Mr. R.S.Shinde D.A  
2) Mr.R.Y.Mashalkar, A.E.

The hearing is completed in presence of Chairman, Member Secretary Member of the Forum on 24/0004/06.

The representative present are mentioned below :

Utility –Shri R.Y. Mashalkar, A.E

Consumer : 1. Shri C.R.Khandelwal, consumer –Applicant

2.Representative from consumer, name not mentioned on the record.

Consumer's Say :

Shri Chandrakant R. Kandelwal himself stated that he did not received the energy bill for 27 months for consumer No.R-59135066 though he was released the connection on dated 02/02/02 with connected load of 20 kw residential load. We received first bill in the month of Jan 04 for Rs. 6,61,360/- & we are forced to pay the interest on it for an amount approx.1.69 lacs. This should not be charged. As we have already paid all the amount, it should be refunded or adjusted in my next bill. I am sure that MSEB did not issue the bill for 27 months otherwise my supply would have been disconnected but it is not disconnected till Jan 04.

Forum to consumer : Is there any other connection in your premises for commercial / Industrial purpose ?

Consumer : Yes I have another connection also for commercial purpose bearing consumer no. 230801.

Forum : Are you getting the energy bill of this connection regularly ?

Consumer : Yes we are getting the bill regularly for commercial connection.

Forum : As you stated that you did not get any bill for consumer number R-59135066 for 27 month did you demand for duplicate bill during the said period. Is there any correspondence in support of your say for non receipt of bill ?

Consumer : I informed the lime staff / meter reader for non receipt of bill but did not approach to office for duplicate bill. We also do not have any documents in support of demand of energy bill in that period.

Forum : Is there any complaint regarding of the energy meter provided to record the energy consumed for residential use ?

Consumer : Initially I raised the grievance accuracy of the meter, but it is tested by the utility in front of and found O.K I am satisfied with the result and there is no complaint regarding accuracy of the meter.

Forum of utility : Is the true that consumer is not served energy bill for consumer No.R 59135066 for 27 month ?

Utility : No. bill was regularly generated from May 02 by taking the meter reading & served to the consumer. Further he submitted the evidence such CPL meter card & consumer applicant dtd.26/02/04 for grant of three installments for 1) 2 lacs 2)2 lacs 3) remaining 2.61 lacs to be paid in Feb, March, April 04 respectively to clear the all arrears upto April 2004 but there was no complaint regarding non-receipt of bill at that time.

Forum of utility : from bill shown by consumer it is that arrears reached to 6.61 lacs why supply is not disconnection ?

Utility : I am unable to explain in this matter as I was not working in that area. However disconnection list is generated through IT section at regular interval which is handed over to the area in charge & disconnection is carried by the concerned line staff. Either there might be possibility for missing his in the disconnection list or it might not be disconnected by the line staff for unknown reason, due to major lacuna in disconnection activity Hence, following the special drive for recovery arrears responsibility was fixed up on each individual on the amount of arrears. As this arrears was above 5 lacs it was under supervision of S.E & E.E & hence special attention was paid for its disconnection for appraisal of higher authority in respect of arrear recovery from the consumers whose arrears are more.

Further rigorous follow up are being done for recovery of arrears from the such consumer who have not paid since date of connection arrears more than five thousand bill not paid since last one year. The above consumer comes under all the above cases hence personal attention is paid by Executive Engineer Bhandup & notice was served to him vide letter No.363 dt. 28/01/04 by RPAD.

The consumer was followed up for payment of arrears after issue of letter No. 363 dt. 28/01/04 but he avoided the payment. Ultimately the supply was disconnected on 25/02/04 After disconnection of supply he submitted his consent to pay the bill in three installments vide his letter dtd 26/02/04 but not period for nearly one month even after granting the installment by Bhandup Division Office.

Further it is stated that disconnection of supply has no relation with the receipt with the receipt of bill but it is deficiency of the utility in recovery of arrears. In facts the consumer was beneficial by availing the supply even through he was having huge arrears .

Observation :

The Consumer Shri Chandrakant R. Khandelwal is having another connection bearing consumer No. 230801 in the name of khandelwal Metal & Eng. Works whose supply released before May 2001 & its billing is being done monthly. The consumer is paying the dues in each month regularly, which is possible only on the receipt of energy bill. There was no complaint from him regarding non-receipt of bill for this connection. However, on demand consumer was released other new connection for residential purpose for 20 kw load bearing consumer no. 59135066 in the same premises in the month of Feb-2002 whose billing is started from May 2002 by obtaining the meter reading as confirmed from billing record i.e. from CPL & meter card produced by utility in support of his say that consumer is being billed regularly after reading the actual meter reading since May 2002 till May 2002 till today & bill is served to all the consumers by the bill distributor as a matter of routine. As both the connections belongs to Shri Khandelwal & is within one premises, energy bill might have been served for both. For any unknown reason, if the consumer gets bill of one connection only, not for the other, it is also his responsibility to enquire and arrange to get the duplicate bill on demand as there is facility available for generating the duplicate bill. There are no documentary evidences for efforts made by the consumer for duplicate bill but it is oral approach with non-responsible person, which is not convincing. He was just avoiding the payment as nobody approached for disconnection till Jan-04 and consumer enjoyed the facility of electricity without disconnection. As the arrears of company was increasing day by day even though various measures taken for recovery. Ultimately a critical situation arrived when company was bound to fix up the responsibility on each individual to improve the financial condition.

As a result of special recovery drive, Ex. Engr., Bhandup division issued notice to the consumer vide letter no. 363, dtd. 28/01/04 by R.P.A.D. to pay the arrears within 7

days to avoid the disconnection of supply. The letter was acknowledged by him but he did not state any thing about non-receipt of bill & no demand for waiver of interest charged on it. However he approached to the office of Ex. Engr. Bhandup Division for grant of installment by accepting the raised bill Rs.6, 61,360/- after disconnection on 25/02/04 and requested for installment vide his letter dtd.26/02/04, which is as follows.

- i) Rs. 2.00 lacs to be paid in Feb-04
- ii) Rs. 2.00 lacs to be paid in March-04
- iii) Remaining amount Rs. 2,61,360/- in the month of April-04 & the same is accepted & installments were granted by Ex. Engr. for the three installment as stated above.

However, he paid Rs. Three lacs on dtd. 31/03/2004. Before, it he approached to the High Court on 23/03/04 vide write petition no. 5920/2004 subsequently as per the instruction of High Court, he approached MERC raising the dispute about accuracy of meter and other matters related with it.

As per the directives of MERC, energy meter of the consumer was tested in his presence & found OK. Now the consumer having no grievance regarding accuracy of meter but with the interest levied on it.

From the CPL, it is clear the meter was read regularly and bill was issued except billing month of Sept., Nov.-03 & Jan.-04 for which meter reader is responsible & liable for action for negligence in duty. As per say of the respondent, action is already initiated & is in the process. From the above, it is quite obvious, that consumer (applicant) is not entitled for any concession/waiver in the interest as it is charged on the arrears due to non payment of bill in time for the unit recorded by correct meter. Hence, petition be dismissed on the ground that respondent issued the bill timely & in case of no response for payment of bill a huge amount of arrears arrived at which are payable by the consumer. Also he tried to prolong the payment by making a matter of dispute in various ways to take the advantage of doubt benefit in low but failed to do so.

### **ORDER**

The consumer was being issued bill timely by taking meter reading recorded by correct meter, which was found in order. All the interest charged are also in order as consumer failed to pay the energy bill issued to him from time to time. Hence, interest levied on the arrears are payable by the consumer.

In case of non payment of dues utility may disconnect the supply following the procedure as per the rule.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 29<sup>th</sup> of April 2006.

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**

**G. B. SINGH**  
**MEMBER SECRETARY**  
**CGRF, BHANDUP**