

Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in

IN THE MATTER OF GRIEVANCE NO. K/E/510/605 OF 2011-2012 OF
SMT. PRAMILA V. CHANDRATRE, KALYAN (WEST) REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT EXCESSIVE ENERGY BILL.

Smt. Pramila V. Chandratre,
Block No. 01,
Ganga Nagar, Lele Ali,
Kalyan (West) : 421 301

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer
Kalyan (West) Sub-Division - III

(Here-in-after
referred
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conferred on it

by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer is a L.T. consumer of the licensee. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on 10/06/2011 for Excessive Energy Bill.

The details are as follows :

Name of the consumer :- Smt. Pramila V. Chandratre

Address: - As given in the title

Consumer No : - 020020315025

Reason of dispute : Excessive Energy Bill

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/360 dated 10/06/2011 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/Sub-Dn.III/Kalyan(West)/1563, dated 29/06/2011.
- 4) A hearing was held on 11/07/2011 @ 15.00 hrs. The Members of the Forum heard both the parties in the meeting hall of the Forum's office. Shri Pardeshi representative of the consumer & Shri Gupta, Dy. Ex. Engr., Shri Verghese Jacob, Asstt. Engr., Shri Varma, Jr. Engr. and Mrs. Jogdev, Asstt. Acctt. representatives of the licensee attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record. Submissions made by each party in respect of each grievance shall be referred while deciding each of the grievances to avoid repetition.
- 5) The consumer has taken electricity connection from the Distribution Licensee (DL) in the year 1984. It is contended that the licensee without following order of C.G.R.F. dated 29/03/2005 raised and issued incorrect

and excessive bills inclusive past arrears and showing defaulter gave threats to disconnect electric supply illegally. It is averred that the licensee in contravention to the directions of Hon. Commission claimed amount of the time barred period. By various applications consumer requested the licensee to issue correct bills as per the order of C.G.R.F. and the guide lines of Hon. Commission but not responded. Consumer moved the I.G.R. Cell but in vain and hence lodged this grievance with prayers to direct the licensee to issue correct bills and to refund the amount already collected illegally.

- 6) Licensee filed reply dated 29/06/2011 contending that in the year 2005 since the meter was defective bill was corrected as per rules and the excess amount refunded. It is contended till June 2011 consumer is liable to pay electricity bill of Rs. 11,841.80 and to avoid to pay the amount, false grievance is filed. It is contended since grievance pertains to non compliance of the order of C.G.R.F. does not fall within the purview of this Forum and that since the instant grievance is in respect of the same subject matter already settled in the previous proceedings is not maintainable and hence it be dismissed with costs in limine.
- 7) We have gone through the records and the order of C.G.R.F. dated 29/03/2005. It is seen from the applications upon applications given to the licensee, it is the grievance of the consumer that licensee raised bill inclusive arrears of the defective meter tested in the year 2005 and based on the arrears officials of the licensee gave threat to disconnect electric supply. On perusal the reply given by licensee, bill issued as per defective meter in the year 2005 after testing bill was revised and till June 2011 consumer is due to pay Rs. 11,841.80. From the voluminous records it is

seen consumer is raising the same issue already settled by the Forum in the previous proceeding in which order dated 29/03/2005 was passed. If that is so, as per sub-clause (c) of Clause 6.7 of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 this Forum cannot entertain such grievance and on this ground instant application apt to be disposed of.

- 8) From the applications written in the confused manner and as per the submissions made by the learned representative for the consumer it seems consumer has dispute that the earlier order passed by the C.G.R.F. dated 29/03/2005 has not been complied by the licensee. When according to consumer order of CGRF dated 29/03/2005 not complied, one does not know what prevented him to approach the Hon. Commission for compliance vide section 142 of the Electricity Act, 003, under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003" and from this point of view this Forum has no locus to entertain such application.
- 9) Learned representative for the licensee urged with force that the consumer with a view to avoid payment of electricity bill referring old events filed false applications and the instant grievance too. On perusal the recitals in the application we find force in the submission of the learned representative for the licensee. If the consumer has grievance of the meter tested in the year 2005, he cannot raise the dispute in that connection late in the year 2011 and from this point of view grievance application lodged now cannot be admitted vide Clause 6.6 of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006.

- 10) On going through the record as a whole and hearing the learned representative for the consumer we feel that consumer with a view to avoid to pay cost of consumed electricity adopt tactics to file such applications. In fact, consumer is bound to pay cost of consumed electricity in as much as for generating electricity company has to invest public fund and at the cost of public fund consumer should not enjoy electricity free of cost. In view of the discussion supra on multi grounds, we find the instant grievance is devoid of substance and also not maintainable consequently apt to be disposed of. Hence the order :

O-R-D-E-R

- 1) Grievance application is disposed of.
- 2) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.

Date : /08/2011

(Mrs. S.A. Jamdar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan