



CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L., PUNE ZONE, PUNE

Case No.61/2017

Date of Grievance : 16.10.2017

Date of Order : 06.12.2017

In the matter of exorbitant billing & getting SOP compensation.

Mr.Kishor B. Dhotre,
53/418, Laxminagar, ,
 Parvati,
 Pune- 411009.

Complainant
 (Hereinafter referred to as Consumer)

Versus

The Executive Engineer,
 M.S.E.D.C.L.,
 Parvati Division,
 Pune.

Respondent
 (Hereinafter referred to as Licensee)

Quorum

Chairperson
 Member Secretary

Mr. S.N.Shelke
 Smt.B.S.Savant

Appearance

For Consumer

Mr.Kishor B.Dhotre,

For Respondent

Mr.Nale V.S., AEE, Swargate Sub / dn.
 Mr.Deepak Jadhav, Dy Manager,
 F&A, Parvati Dn.
 Mr.RatankumarAdagale,UDC, Swargate
 Sub/ dn.

1. The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & E.O.) Regulations, 2006.
2. Being aggrieved and dissatisfied by the order dated 11.10.2017 passed by IGRC Rastapeth Urban Circle, Pune, thereby rejecting the grievance, the

consumer above named prefers present grievance application on the following amongst other grounds.

3. The papers containing the above grievance were sent by the Forum to the Executive Engineer, M.S.E.D.C.L., Parvati Dn., Pune vide letter no. EE/CGRF/PZ/Notice/61 of 2017/314 dtd.24.10.2017. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 18.11.2017.
4. We heard both sides at length and gone through the contentions of the consumer and reply of the licensee and the documents placed on record by the parties.
5. Facts giving rise to the grievance may be stated as under :

The Consumer namely Mr.Kishor B. Dhotre, having consumer No. 170000008071 was connected on 24.01.2012 under category LT-II, Comm.- 1 phase having sanctioned load 1.00 KW. Consumer's supply was temporarily disconnected (TD) in the month of Feb.2015. Thereafter the said connection was permanently disconnected (PD) in the month of Feb.2016. In the month of June-2015 bill of Rs.4990/- was issued to the consumer. Thereafter the Licensee issued energy bill to the consumer including fixed charges for the period Feb.2015 to Feb.2016. Consumer made many requests to the Licensee for issuing of energy bill as per consumption & reading. In the month of Nov.2016 bill of Rs.5305/- was issued to the consumer adjusting S.D. of Rs.1000/- According to consumer his Security Deposit of Rs.1000/- was adjusted in the bill without his consent. The exorbitant bill was issued therefore SOP compensation be granted & action be taken against the defaulting employees and correct bill be issued. He is ready to pay the correct bill.

6. Mr.Kishor B.Dhotre submitted that upto Aug.2014 he has paid all the bills regularly. The Licensee temporarily disconnected his supply in the month of Feb.2015 at that time meter reading was 1893 Kwh. Thereafter he did not consume the energy. The Licensee permanently disconnected (P.D.) the supply in the month of Feb.2016 & thereafter meter was removed. The

Licensee did not remove the meter on disconnecting the supply. Thereafter fixed charges bill for the period Feb.2015 to Feb.2016 was issued to him. He further submits that he is entitled to get benefit of amnesty scheme for P.D. consumers but wrong and exorbitant bill was issued. His matter was taken up before lok Adalat but the Licensee did not settle the same. He was not given correct bill though requested many times. His security deposit was adjusted in the bill without his consent & wrong bill was issued to him. Therefore SOP compensation be granted to him for harassment & necessary action be taken against the concerned employee.

7. On the other hand Mr.Nale, AEE, Swargate sub/dn. submitted that the consumer made last payment of bill in the month of Aug.2014. Thereafter he was in arrears of bill. Therefore supply of the consumer was temporarily disconnected in the month of Feb.2015 having reading 1893 Kwh. Thereafter the consumer failed to pay the arrears. Therefore the said supply was permanently disconnected (PD) in the month of Feb.2016. Thereafter notice was issued to the consumer for depositing arrears. The consumer did not pay the bill but was insisting to deduct fixed charges. Consumer's meter was not removed on disconnecting of supply in the month of Feb.2015. Therefore consumer is liable to pay fixed charges. The Licensee is not liable to pay SOP compensation since the bill issued to the consumer was proper & correct.
8. Perused the CPL of the consumer & documents produced on record. The last payment of bill was made by the consumer on 16.8.2014. Thereafter since the consumer was in arrears, the Licensee temporarily disconnected the supply of the consumer in the month of Feb.2015. In spite of TD, the consumer failed to pay arrears. Therefore the said supply was permanently disconnected (PD) in the month of Feb.2016. It is seen that the Licensee has introduced, "Amnesty Scheme for P.D. consumers 2016-2017" for recovery of PD arrears from PD HT/LT consumers vide Commercial Circular No.269 dtd.27.9.2016. Consumer's PD on or before

31.3.2016 were eligible for the said scheme. Relevant features of the said scheme are as under :

- a)
 - i) *The consumer will have to pay Upfront Payment i.e. 2% of Total principal amount for participation in this scheme.*
 - ii) *Date of TD is to treat as Date of PD and Demand charges after the TD are to be waived off.*
- b)
 - i) *100% interest to be waived off if the consumer pays within 3 months from the date of starting the scheme.*
 - ii) *75% interest to be waived off if consumer pays after 3 months but before 6 months from the date of starting the scheme.*
 - iii) *Early bird incentive at 5% of principal will be given to consumers who pays full principal amount within one month from the date of implementation of scheme.*
- c) *100% DPC to be waived off.*
- d) -----

It is submitted on behalf of the Licensee that the said consumer was eligible for the above mentioned Amnesty Scheme. The system generated bill was issued to the consumer. Therefore the consumer is liable to pay the said bill. On the contrary, consumer submits that though he was eligible for the said scheme, actual benefits of the said scheme were not given to him. Fixed Charges after the TD are not waived off. Therefore he did not deposit the arrears. He points out that in the scheme the date of TD is to treat as date of PD and demand charges after the TD are to be waved off. It is seen that the consumer was TD in the month of Feb.2015 & PD in the month of Feb.2016. Meter reading on the date of TD is 1893 Kwh. Thereafter the consumer did not consume the energy as consumption is 00. Though consumer was entitled to get benefit of said Amnesty Scheme during that period, consumer did not deposit the arrears as per the said scheme & moreover that scheme period was also already over. Under these circumstances we are of the opinion that the Licensee is required to prepare revised bill as per MSEDCL Rules & the said revised bill be issued in this month only to the consumer. The consumer is not entitled to get SOP compensation since he did not deposit the arrears even under protest.

Lastly we proceed to pass the following order.

ORDER

1. Grievance is partly allowed.
2. The Licensee to issue revised bill to the consumer as per MSEDCL Rules.
3. The Licensee to report the compliance within one month from the date of this order.

Delivered on: -06.12.2017

Sd/-

B.S.Savant
Member/Secretary
CGRF:PZ:PUNE

Sd/-

S.N.Shelke
Chairperson
CGRF:PZ:PUNE

Note :- The consumer if not satisfied may filed representation against this order before the Hon.' ble Ombudsman within 60 days from the date of this order at the following address.

Office of the Ombudsman,
Maharashtra Electricity Regulatory Commission,
606/608, Keshav Bldg.,
Bandra Kurla Complex,
Bandra (E), Mumbai-51.