

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

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

Date :

Case No. 182

Hearing Dt. 15/05/2008
& 23/06/2008

In the matter of bill revision

Shri Nemchand Dharmal - Applicant

Vs.

MSEDCL, Bhiwandi - Opponent

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 Applicant

- 1) Shri S.N. Sejpal, Consumer Representative.
- 2) Shri N.D. Shah, Consumer Representative.

C - On behalf of Opponent

- 1) Mr. R.P. Choudhary, Ex. Engr., Bhiwandi circle.
- 2) Mr. Patil, Accounts Officer, Bhiwandi Circle.

Consumer registered his grievance with this Forum on 23/04/2008 vide case No. 182. He approached various utility officials for his grievance but no cognizance said to have been taken, hence he approached the CGRF directly. This matter is of bill revision of power loom unit.

Preamble :

According to the consumer's representative attending hearings before Forum, ICGR, they are not the owners or direct consumers of the power loom unit but are distantly related to the consumer applicant. The unit is closed since 03/01/2000 as per applicant's application. However, utility continued to charge him exorbitant energy bills. Hence, the grievance. The hearing of the case was held on 15/05/2008, 23/06/2008 and again on request of the Forum a joint meeting of Nodal Officer the applicant was held at Bhiwandi in July 2008 to explain all the details of calculations made.

Consumer's say :

According to him his connection was disconnected by utility in Jan-2000. He was initially sanctioned 17 HP load for his power loom unit. However due to slackness in his business he had to stop manufacturing activities and he had no requirement and only 1 HP load was required for exhaust fan. This was effected for period of Jan-2000 to Nov-2000 by the utility in the month of Nov-2001, which was for about approx. Rs. 68205/- by bill adjustment.

He requested utility to issue him Nov-2000 onwards bills at minimum bill with 1 HP connected load, which is also not in use. Which was confirmed by utility's inspection reports dtd. 12/03/2001 and also 15/12/2001.

With continuous follow up with utility claiming to charge only minimum bill because of total closure of unit, the utility after a spot inspection confirmed disconnection of supply. The utility prepared second B-80 proposal for a period Nov-2000 to Feb-2002 for Rs. 85709/-. However, the second bill revision (B-80) was not effected in the computerised billing system by the account staff upto 2006 obviously, with ulterior motive. The utility had taken the cognizance of above bill revision, again on 29/03/2006 by utility's sanction was issued SE/BWDC/SE-18 for Rs. 89300/-, which was not received by him with proportionate interest.

Utility also inspected his premises on 12/11/2003 and given inspection report stating that the electricity supply was disconnected and premises was totally empty. At that time meter reading of power loom was 6745 units while that of light and fan connection at 2518 units.

Utility again inspected his remises on 26/10/2005 confirming the same meter readings for both.

Even then he paid Rs. 10,000/- on 11/10/2001 and Rs. 5000/- on 19/12/2005 towards energy bills with a view to get proper energy bills.

His prayer is that utility be directed to refund to him Rs. 58028/- with proportionate interest.

UTILITY SAY :

The amount Rs. 89,300.01 is approved for the withdrawal from the electricity bill of the above said consumer by the Superintending Engineer, Bhiwandi, as per his letter dtd. 21/03/2006. The consumer is not using the supply from 29/04/2000, as per the letter from consumer. As per the report on 26/10/2005 the premises is not in use.

The credit B-80 of Rs. 89300/- was approved by Superintending Engineer, Bhiwandi in March 2006, however the credit approved of Rs. 89300/- was including subsidy. The subsidy of Rs. 64076/- was credited in the billing month of July 2006/. Therefore the bill is revised after considering credit given to consumer and balance credit of Rs. 30,000/- is given to consumer.

At the behest of CGRF both applicant and Nodal Officer, Bhiwandi agreed to sit at Bhiwandi Office with entire relevant record. Accordingly a detailed meeting was held. The consumer was convinced of the position and was assured of giving revise bill effecting the B-80 proposals. However, the consumer is bent upon claiming interest on pending interest amount, which is not permissible.

OBSERVATIONS :

1) It is true that the consumer's power loom unit had been close from 2000 as admitted in his own letter addressed to utility. It was confirmed in three subsequent spot inspection report, he however, continued to get incorrect energy bills. However he paid Rs. 10000/- on 11/10/2001 and Rs. 5000/- on 19/12/2005 towards energy bills.

2) The utility prepared three B-80 proposals during the period Jan-2000 to 2006. However, it seems that they are inclusive of subsidy being

granted to working power looms by State Govt and distributed through utility. Thus the consumer although having totally closed his power loom business in his premises with this particular consumer No. was claiming subsidy for which he is not entitled to since the unit being closed since 2000.

This particular aspect could not be explained by utility. The applicant consumer stated that there are several closed power loom units, which are getting subsidy, and why he be particularly deprived of. Thus this is a very strange case. It would be appropriate to completely revise the bills from the year Jan-2000 till date.

3) The amount paid by him towards energy bill as also credit amounts given to him earlier should also be considered.

4) The approach of utility's staff, especially accounts staff who worked out the bills is not only lethargic but suspicious. Which required the applicant to continuously follow them up. Action against such staff members during relevant period should be taken. The applicant deserves to be compensated for his harassment by the utility.

5) Applicant's pray in that for want of power, his unit was closed and hence has to sustain losses does not seem full proof since the reason for disconnection made by whom is not made clear by both the parties.

6) There appears to be power consumption in the month of August-2001 and August-2002. This be examined & charged as per tariff with subsidy.

7) As regards light and fans bills they should be charged as per tariff.

ORDER

- 1) All the bills from Jan-2000 onwards are squashed and should be worked out strictly according to the tariff for that period and Govt. order of subsidy where applicable.
- 2) A regular interest fixed by utility be paid to him if he is entitled.
- 3) The utility should pay to the consumer a compensation of Rs. 10000/- for physical and mental harassment.
- 4) Compliance should be reported to CGRF within one month from the date of receipt of these orders.
- 5) The case was delayed beyond 60 days from the date of receipt only because of repeated hearings at the instance of applicant consumer and also joint meeting between consumer and Nodal Officer. Added to this, several rejoinders by the consumer and utility's inability to explain the details of B-80 proposals.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 8th August 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