



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph: – 2210707 & 2328283 Ext: - 122

**IN THE MATTER OF GRIEVANCE NO.K/E/110/0125 OF 07-08 OF SHRI
KANTILAL AMEDMAL JAIN REGISTERED WITH CONSUMER
GRIEVANCE REDRESSAL FORUM KALYAN ZONE KALYAN ABOUT
WRONG ASSISMENT OF ARREARS.**

Shri Kantilal Amedmal Jain

(Here in after

39, Jumma Mashjid Market,
Bazar Peth, Kulgaon – 421503.

referred to
as consumer)

Verses

Maharashtra State Electricity Distribution
Company Limited through its
Deputy Executive Engineer Badlapur
(W) Sub Division, Badlapur.

(Here in after
referred to
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under regulation of "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress

the grievances of consumers. The Maharashtra Electricity has made this regulation Regulatory Commission vide powers conformed 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 connected to their 415-volt network. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on dated 09/01/2008.

The details are as follows: -

Name of the consumer: - Shri Kantilal Amedmal Jain

Address: - As above

Consumer No: - 021540041773

Reason of dispute: - Wrong assessment of arrears, of meter charges S.D. charges, delayed payment charges & fixed charges.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No.013 dated 09/01/2008 to Nodal Officer of licensee. The letter was replied by Nodal Officer vide letter No. 010 dated 16/01/2008.
- 4) The Member Secretary & Member of the Forum heard both the parties on 05/02/2008 @ 15 to 16 Hrs. in the meeting hall of the Forum's office. Shri K. A. Jain consumer and Shri R. G. Thool Assistant Engineer, Shri V. Y.

Kamble Assistant Engineer representatives of the licensee attended hearing.

5) The consumer repeated his grievance & stated that he had requested for temporary disconnection to the licensee vide letter dated 13/10/2001. He had also mentioned in the letter that he had not received any bill after 20/11/2000. The consumer had written two letters on 17/04/2006 & 06/06/2006 to the licensee for resolving his grievance but did not get any

reply from the licensee.

6) Licensee representative replied that permanent disconnection was done on February 2005 also licensee charged the fixed charges and the arrears with

interest amounting to Rs. 3210/- for the period February 2005 to April 2006 in the bill dated 10/04/2006.

7) The Licensee submitted Consumer's Personal Ledger (C.P.L.) & relevant letter dated 16/02/2005 to the forum at the time of hearing.

8) The licensee submitted relevant record of permanent disconnection to the forum on dated 07/02/2008.

9) Forum studied all papers submitted by both the parties at the time of hearing and has made the following observations: -

(a) Consumer applied for temporary disconnection on 13/10/2001.

(b) Permanent disconnection was done by licensee on 15/08/2002 (as per

record sheet submitted by the licensee on 07/02/2008).

10) From the above records it is observed that licensee has not taken any action on the consumer's application for T.D. & they have done the P.D.

on 15/08/2002. The reason for not doing the T. D. is best known to the licensee only.

11) In the bill dated 10/04/2006 licensee levied P.D. fixed charges, meter Charges, interest charges, S.D. charges & Reconnection charges and deducting Rs. 725.53/- (Rs. Seven hundred twenty five & paise fifty three), which was paid by the consumer in the month of March 2005. Consumer paid the bill on 12/04/2006.

12) As the P. D. was done on 15/08/2002 the consumer Mr. Kantilal A. Jain & Licensee's relationship was over with effect from above date. Therefore in the bill dated 10/04/2006 the licensee cannot levy fixed charges with

interest for the period February 2005 to April 2006.

13) The forum noted many discrepancies in the records provided by the licensee the details P.D. records and the relevant C.P.L. are inconsistent. The forum unanimously passes the following order.

O-R-D-E-R

1) The fixed charges (including of Delayed Payment Charges & interest if any)

levied by the licensee vide their bill dated 10/04/2006 is set aside.

The Licensee should give credit amount to the consumer in the next two billing cycle from the date of the decision.

2) The charges levied by the licensee (Meter Cost, Security Deposit Charges &

Reconnection Charges) are valid and action of licensee is justified hence need not be refunded to the consumer.

- 3) The claim of the consumer in respect of compensation for losses is completely disproved and therefore no compensation is payable on this account.
- 4) The compliance report for the same should be sent to the Forum within stipulated period.
- 5) Consumer can file appeal against this decision with the Ombudsman at the following address.

Maharashtra Electricity Regulatory Commission, 606/608,
Keshav Building, Bandra Kurla Complex, Mumbai 51

Appeal can be filed within 60 days from the date of this order.

Consumer, as per section 142 of the Electricity Act, 2003, can approach

Maharashtra Electricity Regulatory Commission at the following address.

Maharashtra Electricity Regulatory Commission, 13th floor, World Trade
Center, Cuffe Parade, Colaba, Mumbai 05

For non-compliance, part compliance or delay in compliance of this decision issued under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003".

Date: - 28/02/2008

(Sau V. V. Kelkar)

(R.V.Shivdas)

Member

Member Secretary

CGRF Kalyan

CGRF Kalyan