



**Consumer Grievance Redressal Forum, Kalyan Zone**  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) - 421301  
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**IN THE MATTER OF GRIEVANCE NO. K / N / 02/802 OF 2012-13 OF RATNESH DHARAMVEER ALAMCHANDANI, ULHASNAGAR, DIST-THANE REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN**

Shri Ratnesh Dharamveer Alamchandani,  
At : Barrack No.131/1,  
Near Sadu Bela High School,  
Ulhasnagar – 1  
Dist-Thane  
Consumer no.021510018874

(Here-in-after  
referred  
as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Dy. Exe. Engr., Ulhasnagar, Sub Division-2  
Ulhasnagar

(Here-in-after  
referred  
as Licensee)

(Per Shri. Sadashiv S. Deshmukh, Chairperson)

1. This 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. The 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 Applicant is a L.T.-I Residential Consumer. The Consumer is billed as per Residential tariff. Consumer registered grievance with the Forum on 28/11/2013 about New Connection and Excessive Energy Bill.

The details are as follows:

Name of the Consumer :- Shri Ratnesh Dharamveer Alamchandani

Consumer No. :- 021510018874

Reason of dispute :- Excessive Energy Bill

3. The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/0025 dated 04/01/2013 to Nodal Officer of licensee. The Licensee filed reply on 28/1/2013 which is a letter addressed to the Consumer and copy to this Forum & Nodal Officer.
4. We heard Consumer's Representative, Mr. Rajput and Shri Giradkar, Nodal Officer, Kasal, Asst. Engineer and M. Machiye, Dy. Exe.Engineer on 26/2/2013 & 8/3/2013 for Licensee.
5. On the basis of arguments advanced and documents on record following factual aspects disclosed:-
  - a) Late Dharam Vir Alamchandani, a Freedom Fighter had a supply from Licensee. His son, the present Applicant approached Licensee for re-connecting supply as the said supply was permanently disconnected in the year 2001.
  - b) In response to the claim of present Consumer the Officers of Licensee issued a bill on 23/6/2010 for payment out outstanding amount of P.D. from Consumer for Rs.158,218/-. However by letter dated 29/6/2010, Consumer requested Licensee to exempt interest and he is ready to pay the rest of the bill.
  - c) Consumer then approached CGRF directly on 1/6/2012 but he was directed on 4/6/2012 to approach IGRC.
  - d) Consumer then approached IGRC. IGRC decided the matter on 30/11/2012. IGRC rejected his grievance. Hence he approached this Forum on 4/3/2013.
  - e) This matter was fixed on 28/1/2013, Licensee considering order of IGRC dated 30/11/2011 directed the Consumer to pay Rs.59,113 as against the

previous demand of Rs.158,280-. This particular benefit was given under “Abhay Yojana”.

f) On behalf of Licensee the Dy. Exe.Engineer has placed on record of this Forum said development along with CPL.

6. During the course of argument, the fact that meter resulted in P.D. is not disputed. Referring to the CPL it is claimed that dues worked out to the extent of Rs.158,280 are not correct. It is seen from the CPL that prior to the P.D. in January 2010 previous payment is in May 1998. Arrears from May 1998 to November 2000 were shown as Rs.77,882/- and actually P.D. is shown in December 2000. At that time dues are quantified for Rs.78,528.86. However dispute is now raised contending that reading for Nov. 1998 is shown as 4180 units is not proper. This aspect is explained by Dy. Exe.Engineer that it is as per actual reading in the meter but it covers the previous period from June 1998 onwards as in the bil of July to Sept. 1998 actual reading is not available, it was shown locked. Accordingly it is claimed that from June to Nov. 1998 actual reading is reflected and it covers the units of 4,180. It is also explained that consumption shown for July 1998 594 units and September, 1998, 1188 units, this credit is shown as Rs. 15.64 and Rs. 31.97 which is for Rs.1564 and Rs.3197. Hence the calculation done for the units 4180 is correct. C.R. contended that actually it was never the consumption in one month previously. On perusal of CPL we noticed that if the units 4180 is considered, for the billing period July, September and November, 1998, then for every billing month, average comes to 1390 units, i.e. 4180, divided by three. Even it is seen from CPL that from May 1997 to May 1998 consumption of consumer was 930 units which is highest in one billing period. Further from July to Nov. 1999 for one of the months highest consumption is of 910 units. In this background question comes up whether 4180 units is correct units or not. In fact from 2001 to 2010 no dispute is raised by Consumer's father. For ten years, this aspect is not cared.

Now that old meter is not available. Consumer slept over the said aspect and now comes contending that units reflected are not correct. We find the peculiar stand taken after ten years is not convincing. The meter reflected the units which is not disputed in right time. Considering previous consumption up to 930 units in one billing period will not make the 1390 units consumption unbelievable. We are not able to endorse the said claim of Consumer. Even we find the letter of Consumer received in the office of Chief engineer, Kalyan on 20/7/2010 clearly speaks and dues are admitted; but only relief is sought in interest.

7. It is a fact that even the Licensee dealt the aspect under “Abhay Yojana” and brought down the dues amount from Rs.158,280 to Rs.59,113/-, hence due amount shown on the date of P.D., i.e. Rs.78,882.97. Hence we find the action of Licensee is on due consideration of “Abhay Yojana” and on giving concession. We find the amount demanded by Licensee is not illegal or inflated. For seeking reconnecting by the Consumer who is a heir in the premises where connection was P.D. previous arrears are to be totally paid as per the regulation and supply code.
8. C/R during the course of argument referred to an order of Hon’ble Ombudsman (Mumbai) in representation no. 85/2008 wherein judgment of Hon’ble Supreme Court dated 25/1/2000 in C.A. No.631/1994 is referred and said contention is in para no.13 of the Order. Said matter was of transfer of premises having P.D. connection. We find the case herein is different. The Consumer in this matter being a heir seeking connection which resulted in P.D. which was in the name of his father and hence said precedent is not applicable.
9. We find conclusion of IGRC that matter is barred by limitation is not correct. In the MERC regulation there is no such bar and Licensee has not framed any such rules laying down limitation for taking the matter before IGRC. The bar of limitation as per MERC regulation is for CGRF only.

10. In view of the above discussion we find no force in grievance of Consumer which is to be rejected.
11. This matter could not be decided in prescribed time as Forum was to cope up with the existing staff in the background of stenographer retired and stenographer not available, skilled worker available had no knowledge of stenography.

Hence the order

**ORDER**

- 1) Grievance of Consumer is rejected.
- 2) The Consumer if not satisfied, 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”.*

- 3) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission 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” at the following address:-

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

**Date : 17/04/2013**

**I Agree**

**I Agree**

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

**(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan**

**(Sadashiv S. Deshmukh)  
Chairperson  
CGRF Kalyan**