



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 / E / 703 / 829 OF 2012-2013
OF SHRI JAWAHAR K. KARRA, ULHASNAGAR,, TAL. KALYAN, DIST –
THANE REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL
FORUM KALYAN ZONE, KALYAN

Shri Jawahar K. Karra
Laxmi Market,
Vijay Laxmi Premises
3rd Floor, B Wing,
Flat No.22, Opp. Aasha Soap Factory,
Ulhasnagar – 3
Consumer No.021510111343/2

(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 Consumer is a L.T.-I Residential Consumer of the Licensee. The Consumer is billed as per Residential tariff. Consumer registered grievance with the Forum on 12/3/2013 for Excessive Energy Bill.

3. The batch of papers containing above grievance was sent by Forum vide letter No.EE/CGRF/Kalyan / 0164 dated 12/3/2013 to Nodal Officer of Licensee.
4. Consumer in person attended. On behalf of licensee, Nodal Officer Mr.Giradkar and Dy. Executive Engineer, Mr. Nemade attended. They are heard. During the hearing the following facts are noticed:
 - a) Consumer is having connection from 13/1/1970.
 - b) Consumer has applied to the officer of Licensee towards faulty electricity meter on 24/5/2004
 - c) Inspection of meter was conducted on 16/1/2006 and as per record shown observation in report is that bills for the month of February 2004 and April 2004 are faulty and are to be withdrawn.
 - d) Consumer approached IGRC on 10/5/2006 with grievance.
 - e) IGRC issued letter to the officers of Licensee on 21/1/2006 directing the recovery for the current bill and for keeping in abeyance the disputed aspect till IRGC decides the dispute.
 - f) Order of IGRC was not available to Consumer and even it is not available to the Officers of Licensee. hence they are not able to throw more light on it.
 - g) Matter aggravated and in December 2012 consumer's supply was temporarily disconnected (T.D.) and it is claimed that said disconnection was for want of payment of arrears to the tune of Rs.2024. Bifurcation of said amount is stated showing that it includes interest amount of Rs.775/- and arrears of energy consumed is of Rs.1141/-, and rest of the portion is of interest, arrears of interest and DPC.
5. Now, at this stage, it is clearly seen that though there is an inspection report dated 16/1/2006 and Interim order of IGRC to recover only current bills but total arrears are sought to be recovered with interest and it resulted in T.D.

Consumer claimed that all the while he was ready to pay current regular bills which were not accepted insisting for payment of total dues with interest.

6. At the interim stage order was passed. Consumer was directed to pay an amount of Rs.1,141/- which was the amount towards the actual consumption and rest of the portion was towards interest, etc. Consumer has paid this amount of Rs.1140/- (rounding up to Rs.1140 instead of Rs.1141/-) and his connection is restored.

7. It is clearly seen that for the month of Jan to Apr. 2004 reading was found faulty and as per inspection report dated 16/1/2006 it was to be withdrawn. However, the said aspect of withdrawal was not dealt till matter reached the Forum. Not only the arrears are shown towards consumption of energy but interest is added, to the due amount. The matter with the Licensee proceeded as it is, in spite of suggestions in the inspection report about the withdrawal of faulty bills and about stay granted by IGRC . Unfortunately record of IGRC is not available; no one is aware what happened to the proceedings of IGRC. It needs to be appreciated that Consumer is vigilant enough to preserve the records pertaining to stay order passed by IGRC. Such vigilance could have been shown from other side as it was the bounded duty of officers of Licensee. This lapse speaks and accordingly the burden of interest and other charges continued; which we find is peculiar in its nature. The Consumer all the while is seeking a relief with the officers of Licensee showing readiness to pay the current bills, but he was asked to pay the total bills with interest and charges. This constrained the Consumer not to clear off the dues as he was insisting that reading is faulty, it is not rectified but he was supposed to bear interest and other charges. No doubt, for want of compliance in time and for want of record the officers of Licensee were not able to keep track of the matter and accordingly factor of interest and other charges are added. No doubt, on behalf of Licensee attempt is done to contend that dues are for a long period and hence interest be approved.

It submitted that interest is of Rs.790.34. In this regard it is clear that in respect of electricity reading aspect is now considered by the officers of Licensee and towards it, it is shown that Consumer is having surplus balance of Rs.307.60. Sheet of faulty withdrawal calculation is placed before us. Accordingly we found that though interest is claimed to the extent of Rs.790.34 we find that said amount now to be made limited to Rs.307.60 which is due to the Consumer. Accordingly no any balance remains to be recovered from the Consumer. He will be bound to pay only the charges of the consumption from the date of re-connection. This particular adjustment we are working out on the basis of the fact that interest is continued; faulty bill not dealt in time. In result this grievance to be allowed.

Hence the order

ORDER

- a) The grievance of Consumer is upheld.
- b) The Consumer's supply is already re-connected as per our interim order to which he was entitled and he has already paid an amount of Rs.1140/- towards outstanding dues of Licensee. Towards interest and other charges it is made limited to an amount of Rs.307.60; said amount Consumer is not liable to pay as it is excess available with the Licensee towards the excess payment of electricity readings as noted above.
- c) The consumer if not satisfied, may file representation against this order before the Hon. 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”.

- d) Consumer, as per section 142 of the Electricity Act, 003, 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 Redressed Forum & Ombudsman) Regulation 2003” at the following address:-

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

Date : 18/04/2013

I Agree

I Agree

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

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(Sadashiv S. Deshmukh)
Chairperson
CGRF Kalyan