



**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/050/0059 OF 06-07 OF  
SHRI ANNABHAU LATE WITH CONSUMER GRIEVANCE  
REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT THE  
EXCESSIVE ENERGY BILL.**

Anna Bhau Late

Here in after

At- Aptegaon, Post Kharid

referred to

Tal-Shahapur, Dist –Thane

as consumer

Pincode 421405

**Versus**

Maharashtra State Electricity Distribution

(Here in after

Company Limited through its

referred to

Shahapur Division, Kalyan ® Dn.

as licensee)

1) Consumer Grievance Redressal Forum has been established under regulation of “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Commission vide powers confirmed 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 L.T. consumer having three phases LT power connection and tariff as per IP 28 for running his flourmill.

The details are as follows.

*Name of the consumer: Shri Anna Bhau Late*

*Address: Same as above*

*Consumer No.120718100289*

*Disputed period: 12/10/2000 to 03/05/2001      total 10 months  
17/11/2001 to 31/01/2002      period*

*Disputed amount: -*

3) The electricity bill stands in the name of Shri Anna Bhau Late and he is occupier of the premises and uses electricity for commercial purpose.

a) On the distribution transformer regulating power in Apte village was failed on dated 12/10/2000 causing total interruption in power supply. The new distribution transformer was installed on 03/05/2001. (After a gap of 202 days) However, on 03/05/2001 only single phase supply is

- resumed and subsequently three-phase connection supply was restored on 17/05/2001.(After a gap of 14 days).
- b) The distribution transformer again failed on 17/11/2001 and replacements of the transformer was done on 31/01/2002 (After a gap of 74 days)
  - c) The consumer has submitted a letter (dated 07/06/2001 & 06/02/2002)to Sub Division officer of the area in charge supporting the statement for the above interruptions in three phase power supply at Apte village due to the failure of distribution transformer during the above period .
  - d) The consumer has raised the question on the validity of the electricity bill for the above disputed period during which there was no power supply. Consumer also stated that MSEB has not only given the bill for the disputed period but they have also levied the interest on the unpaid bills for the disputed period.
  - e) The consumer had approached the MSEB to solve his grievance on for the first time on date 13/12/2000. The consumer had been written to MSEB office through the following letter as given bellow for solving his grievance.

22/03/2001

2) 24/08/2001

3) 17/03/2004

4) 17/12/2004

5) 16/02/2005

6) 03/03/2005

7) 14/03/2005

8) 02/01/2006

- f) In response to all the above Vide letters No. 0824 dated 23/02/2005 licensee has clarified to the consumer that as per rules and regulation licensee is not responsible for the

loss arising due to closure of the flour mill, hence it is not possible to the licensee to compensate the loss as per demand of the consumer. He also advice to consumer that a consumer can approach to his senior officer i.e. Executive Engineer of licensee against his decision. He also informed to the consumer regarding the formation of Consumer Grievance Redressal Forum at Kalyan Zone,Kalyan.

- g) The consumer approached to ICGRF on dated 03/03/2005, and 14/03/2005 but, he did not received any response from ICGRF and again he has reminded to ICGRF on dated 29/10/2005 for resolving his grievance.
  - h) In response to consumers application dated 29/10/2005 and hearing held on dated 16/12/2005 in ICGRF Kalyan Circle II, Kalyan, the Nodal Officer has given the decision on dated 06/01/2006 vide his letter No. 081 which was not acceptable by the consumer and therefore he approached to the forum and his grievance was registered in the forum on dated 10/04/2006.
- 4) Forum communicated the details of the case along with copy of relevant papers (32 pages) to the Nodal Officer and requested his para wise comments/reply within 15 days (letter No. 0501 dated 10/04/2006). The letter remains unreplied so far.
  - 5) The hearing was scheduled on 27/04/2006 at 15.00 hrs. in forum's office and the same was communicated to both the parties vide letter No. 0514 dated 18/04/2006.
  - 6) The hearing was held on 27/04/2006 at forum's office at 15-00 hrs. attended by forum members. Member secretary Shri

R.G.Maheshwari & Member Sau V.V. Kelkar Shri S.M.Jadhav, Assistant Engineer, Shahapur, & Shri S. M. Wishe LDC licensee representative. Consumer representative Shri Vasant Bhau Late attended the hearing.

- 7) The consumer representative repeated his grievance. He also said that he has suffered a loss of Rs. 60,000/- (Rs. 6000/- per month) in his business for the period of (12/10/2000 to 03/05/2001 *and* 17/11/2001 to 31/01/2002) ten months due to failure of distribution T/F there by non availability of supply, he has demanded compensation for the same. Also due to non-functioning of some moving parts of the flourmill were get damaged which had to be got repaired again causing a loss to him. He moreover stated that in spite of making several complaints no action has been taken by licensee causing financial as well as mental distress to him.
- 8) Licensee representative has been asked to produce his say to the consumer's grievance but they did not answered satisfactory for the delay (216 days) for replacement of failed T/Fs, and subsequent delay (14 days) in restoring three phase supply to the consumer. The licensee representative accepted that there was delay for replacing the T/F.
- 9) The licensee representative also stated that the consumer was a deflate and not paid a arrears of Rs 15,627/- for a period of June 1997 to October 2000.
- 10) The consumer stated in his defense that he has already made the part payment of Rs. 14,700/- out of 15,627/- on 14/12/2000.
- 11) Forum is directed the licensee to give the exact details of the bills charged including of DPC and Interest to the consumer during

the period of power interruption due to T/F failure during two occasions. Licensee should also give the current status of the consumer towards the payment of bills.

- 12) Forum's finding.
- 1) Consumer is a defaulter as he was in arrears for bills from June 1997 to Octobers 2000. However no action was taken by the licensee
  - 2) The licensee has given the bill for minimum fixcharges for the period when there was no power supply due to failure of the T/Fs.
  - 3) The licensee has taken un due time for the replacement of T/F causing inconvenience to the consumer. In first case it took (6 months 21 days) And second occasion it has taken (2 months 13 days) to restore the power supply.
- 13) The licensee representative Shri S.M.Vishe (LDC) and Shri. S.M Jadhav Asstt. Engineer submitted the details of the bills vide letter No. AE/Shahapur/B-615 dated 02/05/2006. The forum's members studied the papers and CPL (Consumer personal Ladger).

14)

Period	Principal Amount	DPC charges	Interest	Total amount
(1st T/F ) 202 days +14 days =216 days	Rs.5,543.25	Rs.109.02	Rs.92.87	Rs.5,745.14

2nd T/F 74 Days	Rs. 1,338.29	Rs. 24.84	Rs. 582.97-RS 369.65= 213.32  January 2005	Rs.1946.10
	6881.54	133.86	213.32	7691.24

- 15) Principal amount + DPC = Rs.1715.40 this amount waived by licensee in November 2004 bill and Interest Rs. 3356.79 (including Rs.213.32 shown in interest column as above) waived by licensee in January 2006 bill. So consumer demand was already fulfilled by the licensee, and therefore, it is unanimously decided no to pass any order in the matter of excessive billing.
- 16) There is no provision in rules and regulation of the licensee for payment of compensation of loss to the consumer for long term failure of supply and also due to which detoraition caused to the moving parts of the industry.

### **O-R-D-E--R**

1. From the study of power consumption of the consumer, (when the power supply was normal) the consumption seems to be low considering the connected load of 15 HP for the flourmill, his claim of Rs. 6000/- loss per month does not look realistic. Hence his request for compensation is hereby rejected

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 5.

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

Date: - 10/05/2006 licensee

**(V.V.Kelkar)**  
**Member**  
**CGRF Kalyan**

**(R.G.Maheshwari)**  
**Member Secretary**  
**CGRF Kalyan**