



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/053/0062 OF 06-07 OF SMT
G.P.KARAMCHANDANI WITH CONSUMER GRIEVANCE REDRESSAL
FORUM KALYAN ZONE, KALYAN ABOUT THE EXCESSIVE ENERGY BILL.**

Shri G.P. Karamchandani

Parsaram CHS Ltd. Flat NO. 2

to

Furniture Bazar Ulhasnagar-2

Here in after

referred

as consumer

Versus

Maharashtra State Electricity Distribution

Company Limited through its

Ulhasnagar III

(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 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 of the licensee connected to their 415-volt network. Consumer is billed as per residential tariff. The consumer registered his grievance with the forum on dated 28/04/2006

The details are as follows: -

Name of the consumer: Shri G.P. Karamchandani

Address: Same as above

Consumer No. 021510077021

- 3) The consumer is own flat No. 2, was vacant and locked. He had also communicated the same to the licensee vide letter dated 9/06/97. The consumer was ready to pay the minimum fix charges and he had also clear the bill up to 21/05/1998. The meter No. 9905886 of this installation was removed on 13/08/99 by the licensee.
- 4) The consumer approached to the forum vide his letter no. KT/ MSEB /I dated 28/12/2005 Sending the letter by registered.
- 5) The consumer wrote a letter to forum reference KTMSEB/ I dated 6/01/2006 for solving is above grievance with a copy to (1) Chief Engineer (Com.) MSEDCL, Prakash Gad Bandra (E). (2) The MD, MSEDCL, Prakash Gad Bandra (E), (3) The MD, MERC Mumbai. The consumer was forced to take this step as he has been received a out standing bill of Rs. 80,000/-from the licensee.
- 6) The forum sent a letter No KLNZ/CGRF/Kalyan /0424 dated 09/01/2006 to Nodal Officer Shri H.K. Randive requesting him to take necessary action and solved the consumers grievance and informed to the forum accordingly.
- 7) The forum sent a letter No. KLNZ/CGRF/Kalyan/0473 dated 08/03/2006 to the consumer in response to his latter dated 06/01/2006 advising to him to fill up the grievance in the proscribed profarma
- 8) Within 7 days from the date of receipt of letter for solving his grievance.
- 9) Forum did not receive any reply from the Nodal Officer so far in connection with the consumer grievance.
- 10) The consumer sent a letter to forum reference No, KT/MSEB/2 dated 11/03/2006 stating that his grievance is not yet solved. He also stated that after his letter dated 6/01/2006 to forum he licensee officier

approached to him and advised him to see the DYEE (Dy. Ex. Engineer). A meeting was held in which DYEE asked to the consumer to pay Rs. 987752 against the bill of Rs. 80000. The consumer paid the bill on 25/01/2006 in order to settle the issue and requested for the new connection by submitting a prescribed form along with necessary documents.

- 11) The consumer is surprised as the licensee officer sent to him another bill of Rs. 4600/- on 8/03/2006 as arrears and insisted him for on making the payment of the same in order to get the new connection.
- 12) The forums once again sent a proforma to the consumer as being not received vide letter No. CGRF/KINZ/Kalyan/0485 dated 18/03/2006 and advised him to resubmit the proforma duly filled in with required information to register his case.
- 13) The consumer sent his application on 25/03/2006 in the prescribed proforma which was received by forum on 28/04/2006
- 14) The forum sent the relevant papers vide letter no KLNZ/CGRF/Kalyan 0521 dated 28/04/2006 to the Nodal Officer and requested him to send his praiseworthy comments on the consumer's grievance. The letter remains unreplied so far.
- 15) The hearing was scheduled on 15/05/2006 at forums office at 16.00 hrs and the same was communicated to both the parties vide letter No., KLNZ/CGRF Kalyan 0530 dated 03/05/2006.
- 16) At the time of hearing the consumer was absent however, one of the consumer representative came to attend the hearing without any proper authority letter, hence the next hearing was rescheduled on 18/05/2006 at 15.00 hrs. and the consumer was advised remain present for the same vide letter No. KLNZ/CGRF/Kalyan/0544 dated 15/05/2006.
- 17) The hearing held in the forum office on dated 18/05/2006 at 15.00 hrs. And attended by forums member, Member secretary Shri R.G. Maheswari and Member Sau V.V. Kelkar , licensee's representative Shri M.S.N. Murthy Nodal Officer Shri K.B. Gorade Dy. Ex. Engineer, Shri R.N. Kher UDC and consumer Shri. G.P. Karamchandani and Shri Deepak Bharadwaj.

- 18) At the time of hearing consumer repeated his grievance and asked for the refund the amount paid by him along with the reconnection of the power supply for his residence.
- 19) The licensee submitted a letter No. 131 dated 18/05/2006 stating that above consumer in connection with the above, this is to state that above consumer's fictitious arrears proposal is approval by the competent authority and after withdrawal of fictitious amount of Rs. 69164,72 consumer was asked to pay an amount Rs. 9877.52 vide challan No. 945 dated 21/01/2006. Accordingly the consumer has paid that said on the same fate vide R. No. 3830519 therefore the consumer was asked to pay the differential amount of 50% interest for which the consumer raised an objection and approached to the forum. Vide commercial Cir No. 34 dated 12/05/2006 under the Amnesity Scheme – II for P.D. consumer; it is not necessary to pay additional amount interest. Hence it is requested to close the matter.
- 20) Forums observation
1. The consumer has paid the bill up to 21/05/98. The Consumer received a bill dated 6/03/99 for Rs. 22489.00 for assessed average consumption of 418 units per month and also inclusive of arrears of Rs. 17992.75. The meter no.9905886 was TD (Temporary disconnected) on 5/06/99. The meter no. 9905886 was removed on 13/08/1999.
 2. The consumer had rightly intimated to the licensee about the locked and vacant condition of the flat in writing.
 3. In spite of getting the letter, licensee has levied a bill for assessed consumption of 418 units per month, which is not a correct action and has not legal standing.
 4. As above bill was contested by the consumer the connection was made temporary disconnect and then permanently disconnect which again is wrongful action taken by the licensee and has no legal standing. The inspection carried out by licensee on two occasions dated 29/02/2000 and 23/01/2006

confirm the status of the flats locked and vacant and it substantiates consumer statement.

5. From the study of CPL by licensee it is observed that the consumer has been billed for he units 13651 for amounting Rs. 6914.72 for the period September 1998 to November 2000,

Being these units are fictitious the licensee has withdrawn these units 13651 for amount Rs. 69164.72 in the month March 2006 and consumer paid balance amount of RS 9877.52 vide MR No. 3830519 dated 25/01/2006 and no balance arrears found towards the consumer. Hence the grievance of outstanding arrears in the consumer bill is resolved by the licensee.

6. The licensee allotted the new connection to the consumer premises on dated 13/05/2006 hence this grievance is also solved by the licensee.
7. The forum has come to the unanimous conclusion and pass the following order.

O-R-D-E-R

1. The consumer paid Rs.9877.52 vide MR No.3830519 dated 25/01/2006 against the fictitious arrears (under protest), the licensee should credit this amount in the substantial bills and should be intimated to the forum.
2. 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.

3. 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

Grievance No.K/E/053/0062 of 06-07

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: - 30/05/2006

(V.V.Kelkar)
Member
CGRF Kalyan

(R.G.Maheshwari)
Member Secretary
CGRF Kalyan