

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/055/2007

Applicant : Shri Dilip Ramkrushnrao Bawankar
Plot No. 71, Purushottam Apartment
Pande-layout Khamla Road,
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Congressnagar Division, NUZ,
Nagpur.

Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

3) Shri S.J. Bhargawa
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 29.12.2007)

The present grievance application has been filed on
06.12.2007 under Regulation 6.4 of the Maharashtra Electricity

Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of wrongful charging of CFL Bulb cost through installments from his energy bill of November 2006 despite non-supply of CFL bulbs till now by M/s. Phoenix Lamps Limited the agency authorized by MSEDCL to supply such bulbs.

The applicant had approached various Offices of MSEDCL on 14.11.2006, 20.12.2006, 16.01.2007, 21.02.2007, 27.03.2007 and 21.06.2007 but the only remedy that was provided by MSEDCL was that of not effecting recovery of cost of CFL bulbs from November 2006 to March 2007. But his bills are still showing arrear amount to be recovered towards this cost. Hence, the present grievance application.

The intimations given as stated above are deemed to be the intimation given to the Internal Grievance Cell (in short the cell) under the said Regulations and the applicant was, therefore, not required to approach the Cell again.

After receipt of this application, it was sent to the Nodal Officer of MSEDCL for submission of parawise comments which are kept on record. A copy thereof was also given to the applicant and hearing conducted on 27.12.2007.

The applicant himself pleaded his case while EE Congressnagar, Division the Nodal Officer appeared and pleaded for non-applicant Company.

The applicant, in his written and oral submissions, has contended that CFL bulbs were not actually supplied to him by the

authorized agency of MSEDCL. Despite this position in November 2006, first installment of cost of CFL bulbs was charged in his energy bill. The process of showing recovery in the bills continued upto March 2007. The applicant repeatedly approached the concerned offices of MSEDCL and paid his current bills only. From April 2007 to September 2007, no quantum of such installments appeared in his bills. However, in October 2007, the same was again levied and shown in his bill. The arrear amount which was withdrawn earlier also started appearing in his bills. This, according to him, is unjust, improper and illegal. He requested this Forum to direct MSEDCL to withdraw from recovery the arrear amount once for all. He also requested that compensation of Rs.1000/- be awarded to him as he has been harassed.

The non-applicant pleaded that in order to overcome the difficulty of load-shedding and also in the interest of consumers, a scheme is floated for sale of CFL bulbs of 15 W and 20 W on subsidized rates to them and for recovery of cost thereof in 11 to 12 monthly installments. A private Company namely M/s. Phoenix Lamps Ltd has been awarded the contract for this purpose. The non-applicant Company through this contractor used to get a proforma signed from consumers in this regard after they showed the receipt of the bill amount. The CFL bulbs are thereafter supplied to them. The non-applicant produced on record the proforma in respect of the applicant. This proforma also reveals that after payment of Rs. 70/- in May, 2006 of current regular bill, CFL bulbs were supplied to the applicant. As such, there is no deficiency of service from MSEDCL.

The applicant strongly argued that no such proforma was ever signed by him in token of giving his consent for supply of CFL

bulbs nor does he know as to who has signed this document for him. The signature on this proforma is also not tallying with his signatures on other documents like the application in schedule "A" etc. Further the telephone number indicated in this proforma is also wrong.

On being asked to the non-applicant, he stated that about 10,000 consumers have been supplied CFL bulbs by the authorized agency and about 7 to 8 consumers have complained about non-supply of CFL bulbs.

The Forum observes that the non-applicant could not prove that the applicant consented for supply of CFL bulbs. The non-applicant was not also able to prove that CFL bulbs were actually supplied to the applicant. The contentions of the applicant are cogent and convincing. The non-applicant could not also prove that the signature on the consent form or proforma is that of the applicant.

It transpires beyond doubt that the applicant never gave his consent for fixing of CFL bulbs nor such bulbs were supplied to him.

It will not, therefore, be proper to recover the cost of CFL bulbs from the applicant. Hence, recovery thereof should be withdrawn from applicant's bills.

The applicant has demanded compensation of Rs. 1000/- towards his harassment. However, looking to the facts and circumstances of the case and particularly the fact that recovery of cost of CFL bulbs was never actually effected though shown in bills, we do not think it proper to award any compensation. The applicant's request for awarding compensation stands rejected.

In the result, the grievance application is thus partly allowed and the same stands disposed off in terms of above order.

No order as to costs.

The non-applicant shall report compliance of this Order to this Forum on or before 31.01.2008.

Sd/- (S.J. Bhargawa) Member-Secretary	Sd/- (Smt. Gauri Chandrayan) MEMBER	Sd/- (S.D. Jahagirdar) CHAIRMAN
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**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**

Member-Secretary
Consumer Grievance Redressal Forum,
Maharashtra State Electricity Distribution Co.Ltd.,
Nagpur Urban Zone, NAGPUR