

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

Case No. CGRF(NUZ)/076/2005

- Applicant : Shri Shriram Soman Pal
At New Futal Wasti,
Near Futala Talaw,
Nagpur.
- Non-Applicant : The Nodal Officer
Executive Engineer,
Civil Lines Division, NUZ,
Nagpur representing the MSEDCL.
- Quorum Present : 1) Shri S.D. Jahagirdar, IAS (Retd),
Chairman,
Consumer Grievance Redressal Forum,
Nagpur Urban Zone,
Nagpur.
- 2) Shri Shrisat
Member secretary,
Consumer Grievance Redressal Forum,
Nagpur Urban Zone,
Nagpur.
- 3) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone, Nagpur

ORDER (Passed on 15.12.2005)

The present grievance application has been filed before this Forum on 28.11.2005 in the prescribed schedule "A" as per Regulation 6.3 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal

Forum & Ombudsman) Regulations, 2003 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of incorrect electricity bill served on the applicant way back in the year 1996 and in respect of improper action of the non-applicant in disconnecting his power supply some eight years back.

Before filing the present grievance application, the applicant had approached the Internal Grievance Redressal Unit under the said Regulations by filing before it his complaint dated 17.09.2005. This Unit, in response to the applicant's complaint, replied him by its letter, being letter No. 3478 dated 20.10.2005, informing him that the outstanding amount of P.D. final bill of Rs. 6770/- rightly worked out in the context of disconnection of his power supply way back in 1997 will have to be paid by him.

Being aggrieved by this decision of the Internal Grievance Redressal Unit, the applicant filed before this Forum the present grievance application.

The matter was heard by us on 13.12.2005 on which date both the parties present submitted their respective say before us. Documents produced by both of them on record are also perused and examined by us.

After receipt of the present grievance application, the non-applicant was asked to submit before this Forum his parawise remarks on the applicant's application in terms of Regulations 6.7 & 6.8 of the said Regulations. Accordingly, he submitted his parawise report dated 05.12.2005 before this

Forum on 13.12.2005. A copy thereof was given to the applicant on 13.12.2005 before the case was taken up for hearing and he was given opportunity to offer his say on this parawise report also.

It is the contention of the applicant that he received energy bill, being energy bill dated 23.07.1996 for Rs. 14,460/-, for 4836 units for the period from 04.05.1996 to 04.07.1996 which was unjust and improper. According to him, consumption of 4836 units during a period of only two months as shown in his energy bill dated 23.07.1996 was not only abnormally excessive but it was also un-believable. His father had approached the MSEB officials raising orally his complaint in respect of this excessive bill. However, no cognizance was taken by the MSEB officials. Subsequently, a complaint was given to the concerned MSEB Engineer in January, 2005 and at that time, the concerned Engineer one Shri Kashikar promised the applicant to revise his bill in question. The applicant paid an amount of Rs. 2000/- against this outstanding amount as advised to him by this Officer on 29.09.2004. There-upon, since the applicant's premises was not still reconnected, he approached the Civil Lines Division of MSEB for correction of his bill issued in the 1996. He was then asked to pay 50% of the outstanding amount for restoration of electricity supply to his premises. It is the applicant's say that the revised amount of Rs.6770/- worked out by the non-applicant is not acceptable to him and that the revised bill of Rs. 6770/- be revoked.

He has produced copies of the following documents in support of his contentions.

- 1) His complaint application dated 17.09.2005 addressed to the Internal Grievance Redressal Unit.
- 2) His energy bill dated 23.07.1996 for 4836 units for Rs. 14,460/-.
- 3) His energy bill dated 19.09.1996 for 835 units for the period from 04.07.1996 to 05.09.1996 for Rs.16,778/-
- 4) Reply, being reply 3478 dated 20.10.2005, given to the applicant by the Internal Grievance Redressal Unit.
- 5) Provisional installment bill dated 22.09.2004 for Rs.2000/- issued by the non-applicant against the P.D. bill of Rs. 16,815/-.
- 6) Letter, being letter number 2051 dated 27.04.2005 addressed to the applicant by the Executive Engineer, Civil Lines Division, MSEDCL, NUZ, Nagpur asking the applicant to pay 50% amount out of the old arrear of Rs.15,571.11 for the purpose of restoration of power supply to the applicant's premises.
- 7) A reply, being letter number 6651 dated 08.12.2005, issued by the Dy. E.E. and Assistant Engineer, Civil Lines Division, MSEDCL, Nagpur addressed to the applicant in response to his application dated 02.12.2005 under the provisions of Right to Information Act, 2005.
- 8) His application dated 28.03.2005 addressed to the MSEB Engineer, Seminary Hills Area, NUZ, Nagpur

on the subject of correction of his energy bill issued in July, 1996.

- 9) His application dated 06.04.2005 addressed to the Engineer, Seminary Hills Area, Nagpur and also to Engineer Civil Lines, Dharampeth MSEB, Nagpur on the similar subject.

Relying on these documents, the say of the applicant is that the P.D. arrear bill issued in 1996 may be cancelled since it is improper and unjust.

The non-applicant has stated in his parawise report that the applicant's power supply was rightly disconnected prior to September,1997 due to non-payment of energy bill by the applicant. An arrear amount of Rs.17571.11 was outstanding against the applicant in November,1997. The applicant paid an amount of Rs.2000/- on 29.09.2004 against this outstanding amount. There-upon, after considering the request application of the applicant, a slab benefit of Rs.8804.98/- was given to the applicant and his energy bill of 1996 was revised to Rs.6770/- on 22.06.2005 and further that the applicant was asked to pay this amount. However, according to the non-applicant, the revised bill amount of Rs.6770/- has not been paid as yet.

It is the strong contention of the non-applicant that the revised outstanding amount in question will have to be paid by the applicant since this is his liability. The non-applicant assured that the applicant's power supply will be restored immediately after the applicant pays this

outstanding amount. The non-applicant has produced the applicant's CPL for the period from September,1997 to November, 2005.

He lastly prayed that the grievance application in question may be rejected.

We have carefully gone through all the documents produced on record by both the parties and also all the submissions made before us by both of them.

The first & foremost point in the instant case is that the applicant is challenging in the year 2005 his energy bills issued way back in the year 1996. His say is that his father had made oral complaint way back in the year 1996 in respect of the energy bill of July,1996 before the MSEB Officials. However, his mere say cannot be accepted by us without any proof to that effect. As it is, the dispute pertaining to the applicant's energy bill of the year 1996 at this point of time has become time-barred.

The non-applicant on his part has revised the applicant's energy bills by reducing its amount by Rs.8804.98 and as per the revised bill, the applicant's liability is now fixed at Rs.6770/-. In this respect, it is pertinent to note that the disputed bill includes P.D. charges which have remained un-paid for the last about eight years.

Hence, whatever may be the contentions of the applicant, the fact remains that the applicant will have to pay the outstanding amount in question if he wants his power supply to be restored.

It is a matter of record that the applicant's power was disconnected prior to September, 1997 on account of failure of the applicant to pay his energy bill. The non-applicant has further stated before us during the course of hearing that although the amount of disputed bill issued in the year 1996 pertains to a period of only 12 months, slab benefit of Rs.8804.98 has been given to the applicant considering a period 36 months there by giving additional advantage to the applicant which was not even sought for by him. The applicant admitted before us during the course of hearing that he was given a new connection in the year 1995 and he enjoyed power supply for a period of about 12 months. This demonstrates that the applicant has already been given extra benefit. The non-applicant has explained before us that while working out the slab benefit, consumption of the applicant was considered for (5459-788=) 4671 Units that too over a period of 36 months.

The entire record shows that the applicant's power supply was disconnected prior to September, 1997 on account of the applicant's failure to pay the energy bill amounts and that the non-applicant has tried to give as much benefit as possible while revising his past un-paid bill pertaining to the year 1996.

We do not find any substance in the applicant's grievance application in which he is agitating his energy bill served upon him way back in the year 1996. No proof is submitted by the applicant to show that he had filed any complaint against his energy bill of the year 1996 till the onset of the year 2005.

In the result, we do not find it necessary to interfere with the action already taken by the non-applicant in the instant case.

In view of above, the applicant's grievance application stands rejected.

(M.S. Shrisat) (Smt. Gouri Chandrayan) (S.D. Jahagirdar)
Member-Secretary Member CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**