



**CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L., PUNE ZONE, PUNE**

Case No. 02/2018

Date of Grievance : 05.02.2018

Date of Order : 12.03.2018

In the matter of SOP & adjustment of Security Deposit.

Shri. Jayant Maniklal Lunawat,
576, Budhwarpath, Shivajiroad,
Pune - 411002.

---- Complainant
(Herein after referred to as Consumer)

Versus

The Executive Engineer,
M.S.E.D.C.L.
Rastapeth Division,
Pune.

---- Respondent
(Herein after referred to as Licensee)

Quorum

Chairperson
Member/Secretary
Member

Mr. B.D.Gaikwad
Mrs.B.S.Savant
Mr. S.K.Jadhav

Appearance

For Consumer

Mr. Kishor B.Dhotre
(Representative)

For Respondent

Mr.M.D.Ghume , Ex.Engineer,
Rastapeth Division
Mr.M.V.Deshmukh, AEE,
Rastapeth S/dn.

- 1) The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & Electricity Ombudsman) Regulations 2006.
- 2) Being aggrieved & dissatisfied by the order dated 02/01/2018 passed by IGRC Rastapeth Urban Circle, Pune, the consumer above named

prefers the present grievance application on the following amongst other grounds.

- 3) The papers containing the above grievance were sent by the forum to the Executive Engineer, Rastapeth Division vide letter No. EE/CGRF/PZ /02 of 2018/37 dated 05/02/2018. Accordingly the Distribution License filed its reply on 20/02/2018.
- 4) The consumer's representative Mr.Kishor Dhotre submitted that the name of the consumer is Mr.Jayant Lunawat and its consumer no.170017391103 and in the tariff category LT-I Residential and it is connected on 11.5.1999. The consumer has paid the bill amounting to Rs.880/- on 30.11.2016. The said connection was previously billed as "temporary residential category (LT-VII)". Thereafter the bill revision was made on 7th March 2017 for Rs.4230/- as per the verification carried on, on the same day. Mr.Kishor Dhotre has requested on 05.10.2017 that the billing shall be carried out as per the Residential category and hence the consumer has partly paid the amount of Rs.2,286/- on 12.7.2017. It is submitted that no action has been taken by Licensee. The said consumer was made PD in the year 2001 and hence, after PD, the credit amount was not adjusted or reimbursed to the consumer. Thereafter the bill amounting to Rs.1860/- was given to the consumer in the month of Oct.2017.
- 5) Considering the above facts and situations the consumer has filed the grievance at IGRC, RPUC, Pune. Accordingly the IGRC held that the energy bills are corrected as per the request of the consumer and the bills are charged as per the tariff and hence, SOP is not applicable.
 - a) Mr.Kishor Dhotre submitted that, the SOP is applicable as the correct tariff was not issued to the consumer, as well as the Security Deposit of Rs.25000/- is not adjusted to the another consumer namely Mr. Lunawat Jayant Maniklal having consumer no.160250449469. He also submitted that the bills were not corrected properly and within the

stipulated period and so, SOP is applicable from January, 2017 to March, 2017.

6. On the other hand Mr. M.D. Ghume, Ex. Engineer, Rastapeth Division submitted that the applicant has signed the relevant documents in the present case but he is not the consumer of MSEDCL The record indicates the consumer in the present case is Mr. Jayant Lunawat having consumer no. 170017391103. However, one Mr. Pramod M. Lunawat. was present during the hearing of the present case pretending himself as the consumer. It is submitted that the said Pramod Lunawat is not having any authority given by the consumer and he has not produced legal documents showing that the property is transferred in his name. It is submitted that Mr. Pramod Lunawat is neither consumer nor representative of the consumer and he is merely an unauthorized person. It is submitted on behalf of MSEDCL that Mr. Pramod Lunawat has unnecessarily consumed the valuable time of this Forum. It is submitted that necessary action should be taken against Mr. Pramod Lunawat as he he is neither the consumer nor the representative of the consumer. It is submitted that the grievance may be dismissed. It is submitted that Mr. Pramod Lunawat has deceived MSEDCL as he is not the consumer nor the authorized representative of the consumer and he is not having any rights to claim the relief.
7. We have heard both the parties at length and also perused the documents on record. It appears that Mr. Jayant Lunawat is the LT consumer from 11/05/1999 and consumer Number is 170017391103. The said consumer has paid arrears in the month of January, 2017 in the "Amnesty Scheme" and so the said connection was reconnected immediately. The record also indicates that the said consumer was originally was with tariff category of "temporary consumer" and the bills were issued in the said category through the system. The consumer has requested that the said connection is used as "Residential" connection and so there was spot inspection on

07.03.2017 and the tariff was changed from “Temporary” to “Residential” in the month of March, 2017.

Thereafter the B-80 was made for the period Jan.2017 to Feb.2017 vide B-80 no. 7477676 dated 11/12/2017 and the credit was given to the consumer. The same fact was also informed to the consumer on 18.12.2017.

8. The representative of the applicant submitted that SOP shall be recovered from the salary of the employee and necessary action should be taken against the erring employees. However, record in the present case indicates that there is no any malafide intention of the employees and there is no any delay in the change of tariff. Hence, granting SOP will not be just and proper. The record indicates that the applicant (Pramod) was also informed that the amount of the security deposit was not received from him and the application for adjustment of the security was not submitted by the actual consumer and it was also not signed by the consumer. It appears that some stranger has signed the application and documents. It is informed to the consumer that relevant documents shall be submitted to the Office so that the security deposit shall be refunded and/or adjusted in favour of the consumer as per MSEDCL rules and regulations.
9. We, therefore, conclude that the bill correction was made correctly and as per proper tariff within prescribed time limit and hence the SOP is not applicable. We, therefore, come to the conclusion that the grievance is devoid of merits and shall be dismissed. In the result, we pass the following order -

ORDER

1. The Grievance is hereby dismissed.
2. No order as to cost.

Sd/-
A.P.Joshi
Member
CGRF:PZ: PUNE

Sd/-
B.S.Savant
Member/Secretary
CGRF:PZ:PUNE

Sd/-
B.D.Gaikwad
Chairperson
CGRF:PZ:PUNE

Note :- The consumer if not satisfied may filed representation against this order before the Hon.' ble Ombudsman within 60 days from the date of this order at the following address.

Office of the Ombudsman,
Maharashtra Electricity Regulatory Commission,
606/608, Keshav Bldg.Bandra Kurla Complex, Bandra (E),
Mumbai-51.