

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM  
AURANGABAD ZONE, AURANGABAD.**

**Case No. CGRF/AZ/AUC/717/2019/02  
Registration No. 2019010052**

Date of Admission : 15.01.2019

Date of Decision : 26.03.2019

Shri Sayyad Karim Sayyad Ahemad, : COMPLAINANT  
Near Makka Masjid, Delhi Gate,  
Aurangabad.  
(Consumer No. 490011199434)

**VERSUS**

Maharashtra State Electricity Dist. Co. Ltd., : RESPONDENT  
through it's Nodal Officer, EE(Admin),  
Urban Circle, Aurangabad.

Addl. Executive Engineer,  
Shaganj Sub Dn, Aurangabad.

For Consumer : Shri Sayyad Karim Sayyad Ahemad  
For Licensee : Shri Sandip Kulkarni,  
Addl. EE, Shahaganj SDn, Aurangabad.

**CORAM**

Smt. Shobha B. Varma, Chairperson  
Shri Laxman M. Kakade, Tech. Member/Secretary  
Shri Vilaschandra S. Kabra Member.

**CONSUMER GRIEVANCE REDRESSAL DECISION**

1) The applicant Shri Sayyad Karim Sayyad Ahemad, Near Makka Masjid, Delhi Gate, Aurangabad is a consumer of Mahavitaran having Consumer No. 490011199434. The applicant has filed a complaint against the respondent through the Executive Engineer i.e. Nodal Officer, MSEDCL, Urban Circle, Aurangabad under Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulation 2006 in Annexure (A) on 19.03.2019

**BRIEF HISTORY & FACTS RELATING TO THE GRIEVANCE :**

- 2) The complainant has submitted his grievance as under :-
1. That, the appellant filed complaint dtd 29.09.2018 & 19.10.2018 before Consumer Grievance Redressal Forum, MSEDCL. Complex making grievance that his electric meter connection was cut down.
  2. It is contended that, appellant has made various applications to Shahaganj and Superintending Engineer, MSEDCL, Aurangabad Circle to connect electricity connection by accepting amount of billing as per proper reading.
  3. It is also contended therein that meter is not properly functioning, therefore meter reading is faulty. Therefore the bill charges demanded previously are incorrect, it is also prayed that, the interest and fine imposed upon it may be dispensed with.
  4. The Internal Grievance Redressal Cell by their order dtd. 19.11.2018 rejected the complaint.
  5. That aggrieved by impugned order referred therein above, applicant has preferred this appeal on following grounds.

- a) Impugned decision is illegal contrary to facts circumstances & evidence on record.
  - b) It is an error to hold that the due amount of Rs. 93871/- towards electricity consumer charges.
  - c) It is an error to hold that the due amount of Rs. 93871/- towards electricity consumer charges should pay the bill with fine & interest.
6. Applicant has submitted that, bill charged in average and approximate without any basis & applicant is not liable to pay bill.
7. It is prayed that :-
- A) To quash and set aside order dtd. 19.11.2018 passed by the Internal Grievance Redressal Cell, MSEDCL, Aurangabad Circle, Aurangabad.
  - B) To hold that appellant is not liable for payment of Rs. 93, 871/- to MSEDCL & is entitled for electricity connection.
- 3) The Respondent has submitted say (Page No. 21) as under :-  
The electricity connection of complainant is permanently disconnected. Bill of "PD Amnesty Scheme 2017-18" was given to him, but he did not pay it within limitation. Therefore the complaint may be dismissed.
- 4) The Respondent has filed additional say (Page No. 38) & raised following contentions :-
1. The electricity connection was given to the consumer on 13.05.1996 of 0.3 KW, Residential connection. After 30.03.2006 the consumer has not paid any of the electric bill. On 28.03.2006, the consumer has filed complaint before District Consumer Forum. On 31.03.2008,

order was passed & as per order, the Respondent has issued bills to the consumer, still the consumer did not pay the bills.

2. In November 2016, electric connection of the consumer was permanently disconnected. On 11.09.2017, the consumer has submitted application to get benefit of "Nav Prakash Yojana". Those bills under scheme were not paid by the consumer within limitation, so he could not avail of its benefit. This aspect was also considered by IGRC. Since 2 March 2006 till December 2016, the complainant has not paid any of the electric bills, therefore he could not avail of benefit of the scheme. Hence, submitted to dismiss the complaint.

5) We have gone through the application, say & all documents placed on record by both the parties. We have heard arguments advanced by both the parties i.e. Complainant Shri Sayyad Karim Sayyad Ahemad and Respondent's Representative Shri Sandip Kulkarni, Addl. EE, Shahaganj Sub Division, Aurangabad. Following points arise for our determination & its findings are recorded for the reasons to follow :-

Sr. No.	POINTS	FINDINGS
1)	Whether PD connection in the name of Sayyad Karim Ahmed, Consumer No. 4900111999434 arrears be consider under Nav prakash Yojana for new connection ?	No
2)	Whether consumer is liable for payment of Rs. 93,871/- ?	Yes
3)	Whether order passed by IGRC is just legal & proper ?	Yes
4)	What order?	As per final order

**REASONS**

6) **Point No. 1:-** Connection in the name of Shri Sayyad Karim Ahmed was released on dtd 13.05.1996 with consumer No. 490011199434. Consumers connection was made PD in the month of November 2016 due to arrears of Rs. 93,183/- & arrears of interest is Rs. 78383/- total amount Rs. 1,72,755/-. Consumer has made last payment was on 30.03.2006. Consumer has approached on dtd 06.09.2018 before IGRC, Urban Circle, Aurangabad for considering his application under Nav prakash Yojana & to way off interest and DPC and to release new connection. IGRC passed order on 19.11.2018 (Page No. 48) is reproduced as under :-

1. तक्रारदार यांनी थकीत रक्कम भरावी व अतिरिक्त कार्यकारी अभियंता यांनी थकीत रक्कम भरल्यानंतर नियमानुसार त्यांना वीज जोडणी द्यावी.”
2. तक्रार निकाली काढण्यात येत आहे.

Consumer has filed appeal against this order before this Forum on 15.01.2019.

7) Respondent representative Shri Sandip Kulkarni, Addl. Executive Engineer submitted that Shri Sayyad Karim Ahmed with consumer No. 4900111999434 was made PD in November 2016 due to arrears.

8) Consumer applied on dtd 11.09.2017 to participate under Nav Prakash Yojana. Nav Prakash Yojana was declared on 13.09.2017 vide commercial Circular No. 293 for PD consumers and scheme period was upto 31.03.2018.

9) Bill was issued to consumer under Nav Prakash Yojana on dtd 04.12.2017 (Page No. 50, 51) consumer has not paid installments of arrears according to scheme, hence new connection was not released, he has to pay arrears of Rs. 92,599/- in 5 monthly installments and thereafter the consumer is liable for 100 % interest & DPC way off.

10) Consumer has not paid installments as per Nav Prakash Scheme, bill issued by respondent & also scheme period was over on 31.03.2018. Hence, now the scheme, being not running the benefit now can't be given to the consumer. We answer point No. 1 in negative.

11) **Point No. 2** :- Bill was issued to Consumer under Nav Prakash Yojana for principle arrears Rs. 92,599/-, DPC arrears 1157, interest arrears 78,383.00 .

12) According to scheme consumer has to pay principle arrears in 5 monthly installments and after he was liable for way off interest & DPC. Consumer did not participate in the scheme, as has not made payment. So, as on today the complainant is under liability to pay Rs. 93,871/-. However, Respondent has today produced on record copy of commercial circular No. 315 dtd. 07.03.2019. In this scheme 50% interest amount is proposed for waiver by MSEDCL. In view of the recent circular, the petitioner can apply. Hence, we answer point No. 2 in the affirmative.

13) **Point No. 3** :- In the given circumstances order passed by IGRC is found, just, legal & proper. We answer point No. 3 accordingly.

14) We proceed to pass following order in reply to point No. 4

**ORDER**

- 1) Complaint stands rejected.
- 2) However, the consumer is at liberty to apply to MSEDCL, as per commercial circular No. 315 dtd 07.03.2019. MSEDCL to consider such application, if preferred by consumer.
- 3) Parties to bear own cost.

Sd/-  
Shobha B. Varma  
Chairperson

Sd/-  
Laxman M. Kakade  
Member / Secretary

Sd/  
Vilaschandra S.Kabra  
Member