

BEFORE THE FORUM FOR REDRESSAL OF CONSUMER GRIEVANCES  
ADANI ELECTRICITY MUMBAI LIMITED  
1<sup>st</sup> Floor, Devidas Lane, Off. S.V.Road, Near Devidas Lane Telephone Exchange,  
Borivali (West), Mumbai – 400103.  
E-mail : [Consumerforum.Mumbaielectricity@adani.com](mailto:Consumerforum.Mumbaielectricity@adani.com) Website :  
[cgrf.adanielectricity.com](http://cgrf.adanielectricity.com) Tel.No.:022-30094247

---

Grievance Application No. 26/2018 Date : 24/08/2018

Mrs.Geeta V. Sodha. Address : 402, Girnar Apartment, S.V.Road, Malad (West),  
Mumbai – 400064.

C.A. No. 151356328, Central Division.

Geeta V. Sodha ..... Applicant / Complainant

Adani Electricity Mumbai Ltd. .... Respondent / Utility

Order dated 01/12/2018 of the Hearing dated. 30<sup>th</sup> October, 2018

PRESENT

1. Mr. Vilas Dikshit - Chairperson,
2. Mr. Rajiv Nakhare, Sr.Vice President (Adani Electricity Mumbai Ltd) -Member
3. Mr. Milind Gandbhir – Member (CPO)

On behalf of Adani Electricity Mumbai Ltd.(AEML) present for Hearing dated  
30/10/2018

1. Mr. Mritunjay Jha, Dy.General Manager (Corporate Legal) Nodal Officer
2. Mr. Suresh Patil, General Manager, Central Division

On behalf of the Applicant / Complainant present for Hearing dated  
30/10/2018

None


**TRUE COPY**

*[Signature]*  
SECRETARY  
FORUM FOR REDRESSAL OF  
CONSUMER GRIEVANCES  
Adani Electricity (AEML)

Being aggrieved by the order passed by IGR, the Applicant / Complainant filed the present application before this Forum.

Contentions of the Applicant/ Complainant in short are as follows :

1. The representative of the Applicant/Complainant contended that his grievance/ complaint filed in the year June'2015 was neither justified nor penalized at cost by the Electricity Ombudsman but the Applicant/ Complainant has been levied variety of charges such as interest, penalty on delayed interest payment etc over the three years.
2. The representative of the Applicant/Complainant through the rejoinder filed by him stated that the Regulation 15.5.4 of the MERC has not contravened by him/Applicant/Complainant and has not 'neglected' to pay bills till date.
3. Further the representative of the Applicant/Complainant, through the rejoinder filed by him stated that the overall payments made by the Applicant/Complainant since June'2015 includes unsolicited accumulated charges on account of Reinstallation of Meter charges/fees, Additional Security Deposit, Delay Payment Charges, Interest on arrears, CGST & SGST on charges, Adjustments etc. which the Applicant/Complainant is forced to pay in consolidated bill and according to her those 'Other Charges' are unfair.
4. The representative of the Applicant/Complainant, through the rejoinder filed by him contended that the summary provided by the Respondent vide correspondent no., CZ/CCC/CJI/MISC/2018/248 letter dated 04/07/2018 with respect to the 'Other Charges' is false as the Applicant/Complainant has been charged with Rs.354/- against bill

  
SECRETARY  
FORUM FOR THE RESOL  
OF CONSUMER GRIEVANCES  
Adani Electricity (AEML)

2 of 8

TRUE COPY

dated 20/08/2018 + Rs.354/- against bill dated 14/06/2018 + Rs.118/- against bill dated 10/05/2018; Rs.300/- against bill dated 19/03/2018 + Rs.100/- against bill dated 06/03/2018 and so on . These amounts are indicatively charged with 18% GST which means officially charged. Then the summary of charges vide official letter dated 04/07/2018 by the Respondent is false.

In reply to Grievance

1. The Nodal Officer of the Respondent/Utility (AEML) stated that the present billing related grievance, related to alleged unwanted penalties on electric meter no 4468667, CA No. 151356328,
2. The present complaint is premised on false and baseless presumption and without any substance. The Respondent denies all and singular allegations made by the Complainant against the Respondent and or it's personnel in the complaint.
3. The Nodal Officer has pointed out that earlier the complainant had filed an alleged billing related grievance before this Forum and after that he filed Representation no 114 of 2017 and Review Petition No. 2 of 2018 before the Hon'ble Ombudsman (Electricity), which were dismissed by the Hon'ble Ombudsman (Electricity). Hence the same billing dispute which was subject matter of earlier grievance and representation cannot be raised again before this Forum.
4. The Nodal Officer of Respondent/Utility further stated that with regard to other allegations related to "Other Charges" and meter "re-installation charges" has already been clarified to the complainant that same are being recovered only in cases where electric meters are removed. Further variation in due amount in notice depends upon the date of intimation.

TRUE COPY

*dash*  
SECRETARY  
FORUM FOR REDRESSAL  
OF CONSUMER COMPLAINTS  
Adani Electricity (AEML)


5. The Nodal Officer of Respondent/Utility further stated that the Respondent issues bill to its customer on regular interval i.e. monthly basis. Further, in case the consumer does not receive the bill or having received the bill, has lost the bill, he shall, before the receipt of the next bill, report the same to the officer designated by the Distribution Licensee to address such cases where the consumer reports the non-receipt or loss of bill. The Respondent submits that it does not retain copies of old bills, so upon receiving of the request of the Complainant, the Respondent has shared the statement of account for the period from 15.05.2017 to 15.05.2018 as per the data record maintained in the system. Further, the delay payment charges and interest on arrears are levied as per the provisions of the law. The nodal officer relied upon the Regulation 15.5.4 of the Maharashtra Electricity Regulatory Commission (Electric Supply Code and Other Conditions of Supply) Regulations, 2005.

6. It is further submitted by the Nodal Officer that it has been explained to Complainant vide letters, during his visits, and during the hearing before IGR cell that the charges in the bills are in accordance with the law and Tariff Order and there is no illegality with the same and consumer is liable to pay the charges.

Subsequently the complainant came up with additional Written submission dated 30/10/2018 and raised the same issues and alleged that the summary of other charges provided by the respondent is wrong. The Nodal officer sought time to file reply to the additional written submission. In his reply the Nodal officer has denied the allegation of the complainant and indicated the chart of charges debited in the account of Complainant.

Heard the representative of the Applicant / Complainant as well as the Nodal Officer and the representatives of the Respondent/Utility -AEML.

TRUE COPY

  
SECRETARY  
FORUM FOR REDRESSAL  
OF CONSUMER GRIEVANCES  
Adani Electricity (AEML)

Observations of the Forum :

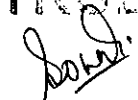
1. While deciding the present grievance application, we would like to refer the previous grievance application filed by the Applicant/Complainant. The said grievance application was numbered as 07/2017. In the said grievance application, the Applicant/Complainant raised the dispute regarding the bill of June'2015/July'2015. According to her, the bill was unfairly charged in compared to the bill of earlier month. This Forum, by the Order dated 14/October/2017 was pleased to disposed of the said grievance application.
2. The Applicant/Complainant thereafter filed the Representation on 24<sup>th</sup> November'2017 before the H'ble Electricity Ombudsman, Mumbai against the Order passed by this Forum under Regulation 17.2 of the Maharashtra Electricity Regulatory Commission ( Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (CGRF Regulations) against the Order dated 14<sup>th</sup> October'2017 passed by the Consumer Grievance Redressal Forum, Reliance Infrastructure Limited (RInfra)– [Now Adani Electricity Mumbai Limited (AEML).]
3. The H'ble Electricity Ombudsman, vide Order dated 22<sup>nd</sup> December'2017 was pleased to dismiss the said representation. Thereafter, the Applicant/Complainant, once again filed the Review Application on 29<sup>th</sup> January'2018 before the H'ble Electricity Ombudsman, Mumbai under Regulation 19 of the Maharashtra Electricity Regulatory Commission ( Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations,2006 [CGRF Regulations] for review of the Order dated 22<sup>nd</sup> December'2017 passed in Representation No.114 of 2017. The H'ble Electricity Ombudsman vide Order dated 07/03/2018 was pleased to dismiss the said Review Application. Surprisingly, the Applicant/Complainant once again has filed the present grievance application before this Forum raising the dispute of the electricity bill

*handwritten signature*

and penalties which he had already agitated in his previous grievance Application No.07/2017.

4. In this grievance Application No.26/2018 , in point Sr.No.5 of 'Schedule A' of the application to Forum for redressal of grievance, the Applicant/Complainant has mentioned as ' June'15 complaint not justified nor penalized at cost by Ombudsman; but variety of charges like interest, penalty on delayed interest payment etc. been borne by Complainant over 3 years'. From this also, one thing is clear that in this grievance application also the Applicant/Complainant is raising dispute with respect to the electric bill which he had already raised in his grievance application bearing number 07/2017.
  
5. The Applicant/Complainant in point 5 of this 'Schedule A' has mentioned as ' June'15 complaint not justified nor penalized at cost by Ombudsman; but variety of charges like interest, penalty on delayed interest payment etc. been borne by Complainant over 3 years' . So far as this contention of the Applicant/Complainant in point 5 of 'Schedule A', we can only say that at least we are fully aware that we are not an Appellate Authority over the Order passed by the H'ble Electricity Ombudsman. Moreover, it can not be forgotten that H'ble Electricity Ombudsman was pleased to dismiss the previous Representation and the Review Application which he had filed before the H'ble Electricity Ombudsman after this Forum decided his previous application bearing no.07/2017. Hence, in fact, it is a debatable question whether the present application is maintainable or not. But as we have registered the present grievance application and we have heard the representative of the Applicant/Complainant, the representative of the Respondent/Utility and the Nodal Officer, we feel that it will not be just and proper on our part to dismiss this present application on the technical ground of maintainability.

TRUE COPY



SECRETARY  
FORUM FOR REDRESSAL  
OF CONSUMER GRIEVANCES  
Adani Electricity (AMML)

We have gone through the queries raised by the Representative of the Applicant/Complainant, the Representatives of the Respondent and the Nodal Officer.

6. The forum had gone through the details submitted by the utility about the amount debited in the bills of the customer and it is observed that after disconnection of the supply by removing the cutout, reconnection fee of Rs. 100 and Rs 100 plus 18 % GST as applicable was debited in the customers bill as net other charges. However the amount of Rs. 300 plus 18 % GST is rightly not debited in the customers bill as meter was not removed and mere intimation of meter removal was given to the customer indicating the payment to be done in the event of meter removal.

Considering the above fact this forum is of the view that the utility has debited the reconnection charges in the customer's bill as per the provisions in the MERC supply code.

**TRUE COPY**

*Souhal*

SECRETARY  
FORUM FOR REDRESSAL  
OF CONSUMER COMPLAINTS  
Adani Electricity (AMNL)

In view of the above observations, we feel that the present application deserves to be disposed of.

Hence, the following Order is passed.

ORDER

1. The application stands disposed of.
2. No order as to cost.

Date : 01/12/2018.

Place : Borivali, Mumbai

**TRUE COPY**

*Sd/-*  
SECRETARY  
FORUM FOR REDRESSAL  
OF COMPLAINTS/RANCES  
Admission (2018)

*Sd/-*

Vilas S. Dikshit  
Chairperson - CGRF

*Sd/-*

Rajiv Nakhare  
Member - CGRF

*Sd/-*

Milind Gandbhir  
Member (CPO) - CGRF