

## BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission  
under Section 42(6) of the Electricity Act, 2003)

REPRESENTATION NO. 216 OF 2019

In the matter of non-receipt of electricity bill

Ramzan Abdul Sattar Shaikh..... Appellant

V/s.

Adani Electricity Mumbai Limited (AEML)..... Respondent

Appearances

For Appellant : Ramzan Shaikh

For Respondent : 1. Mritunjay Kumar Jha, DGM & Nodal Officer  
2. Apeksha Jadhav, DGM


Coram: Mr. Deepak Lad

Date of Order: 20<sup>th</sup> January 2020

### ORDER

This Representation is filed on 1<sup>st</sup> November 2019 under Regulation 17.2 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (CGRF Regulations) against the Order dated 19<sup>th</sup> August 2019 passed by the Consumer Grievance Redressal Forum, Adani Electricity Mumbai Ltd. (AEML) (the Forum).

2. The Forum, by its Order dated 19.08.2019 has disposed of the grievance application. The Forum observed that there is some issue related to delivery and receiving the electricity bills at the consumer's premises but the Appellant never approached the designated officers provided under the Supply Code Regulations nor approached the Customer Care Centre of the


  
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Respondent for obtaining duplicate bill as he regularly receives the bill details on his registered mobile number and e-mail id. The Appellant started getting his bills at his residential premises and the Respondent acted as per the complaint of Internal Grievance Redressal Cell (IGRC) by revising his bills and hence the cause of action does not survive.

3. Aggrieved by the order of the Forum, the Appellant has filed this representation stating in brief as below: -

- (i) The Appellant is a residential consumer at Room No. 125, Ahilyabai Holkar Chawl, Mankhurd, Annabhau Sathe Nagar, Opposite PMGP Colony, Mumbai.
- (ii) Earlier, the Appellant were getting electricity bills regularly, however, from September 2018 onwards, he did not receive bills from the Respondent at his premises. The Appellant has informed many times, verbally, as well as in writing for not getting the electricity bills. The Appellant had to take duplicate bills for making the payment, however, many times the bills are either of zero readings or assessed with high consumption despite the meter recording the consumption and its readings available on it. Despite sending photos of meter readings on WhatsApp to the Respondent, bills were not issued / charged as per actual reading by the Respondent.
- (iii) The Appellant made written complaint to the Respondent on 04.04.2019 (Inward No.005210). The Respondent checked the meter and the meter was found in order.
- (iv) The Appellant made complaint again in writing for non-receipt of bill and also visited the Respondent's office, however there was no response. Hence, the Appellant filed a grievance application to the IGRC on 02.05.2019 towards compensation of Rs. 25000/- for alleged mental torture and inconvenience caused to him. The IGRC did not give hearing.
- (v) The Appellant complained to the Maharashtra Electricity Regulatory Commission (the Commission) on 02.07.2019 pointing out the irregularities of the Respondent. He was instructed to approach the Forum after lapse of 2 months period.

  
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- (vi) The letter dated 31.05.2019 of the Respondent addressed to the Appellant regarding resolution of grievance is afterthought and it was never delivered to the Appellant.
- (vii) The Appellant approached the Forum on 19.08.2019. The Forum took hearing and disposed of the grievance application by its order dated 02.12.2019 without considering the facts.
- (viii) The Appellant prayed that the Respondent be directed to pay the amount of Rs.25000/- as compensation towards mental torture and harassment faced by him.

4. The Respondent AEML has filed its reply by letter dated 30.12.2019 with a request to consider their reply filed before the Forum, briefly stating as below: -

- (i) The Appellant is a residential consumer (Account No. 152296402) at Room No. 125, Ahilyabai Holkar Chawl, Mankhurd, Annabhau Sathe Nagar, Opposite PMGP Colony, Mumbai.
- (ii) The Appellant filed a grievance application with the IGRC on 02.05.2019 regarding bills on estimated basis and non-delivery of bills to his premises.
- (iii) The Respondent checked the meter at site on 11.05.2019. The meter was found in order. Meter reading was downloaded by Meter Reading Instrument (MRI) and found that for the period, bills were generated on estimated basis, therefore the bill has been revised by giving appropriate slab benefits for the period from September 2018 to April 2019 and the amount of Rs.1000.72 was credited in the Appellant's account. The same was intimated to the Appellant by letter dated 31.05.2019. The said letter along with the copy of amended bill were sent to the Appellant through normal post. In view of this, there is no substance in allegation levelled by the Appellant and therefore the prayer of the Appellant to initiate action for not responding IGRC does not arise and is liable to be rejected.

The Respondent referred the Regulations 6.4 of the CGRF Regulations which provides as under:-

  
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***“6.4. Unless a shorter period is provided in the Act, in the event that a consumer is not satisfied with the remedy provided by the IGR Cell to his Grievance within a period of two (2) months from the date of intimation or where no remedy has been provided within such period, the consumer may submit the Grievance to the Forum. The Distribution Licensee shall, within the said period of two (2) months, send a written reply to the consumer stating the action it has taken or proposes to take for redressing the Grievance.” (Emphasis added)***


In view of the above Regulation, there is no substance in allegation of the Appellant to initiate action against IGRC for not responding. Therefore, this prayer of the Appellant is liable to be rejected.

- (iv) The Forum has passed the order dated 19.08.2019 after careful consideration of the entire facts and details and submissions made by the parties and documents on records and there is no infirmity in the impugned order.
- (v) The Respondent denied all allegations of the Appellant. In view of the facts, the Respondent prayed that the representation of the Appellant be rejected.

### **Analysis & Ruling**

5. The hearing was held on 08.01.2020. During hearing, the Appellant and the Respondent argued in line with their written submissions and reiterated the same. The Appellant argued that he had complained on 04.04.2019 in writing for non-receipt of bills from September 2019 onwards, however, there was no response. Subsequently, the Appellant filed a grievance application to the IGRC on 02.05.2019 towards compensation for alleged mental torture and inconvenience caused to him. The IGRC did not give hearing. The letter of the Respondent dated 31.05.2019 was fabricated afterthought to save their skin. Hence, he complained to the Commission on 02.07.2019 pointing out the irregularities of the Respondent. He was instructed to approach the Forum. The Forum also did not give any justice. The Appellant prayed that the Respondent be directed to pay the amount of Rs.25000/- as compensation towards mental torture and harassment faced by him.

6. The Respondent argued that it checked the meter at site on 11.05.2019. The meter was found in order. Meter reading was downloaded by Meter Reading Instrument (MRI) and found

  
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that for the period, bills were generated on estimate basis, therefore the bill has been amended by giving appropriate slab benefits for the period from September 2018 to April 2019 and the amount of Rs. 1000.72 was credited in the Appellant's account. The same was intimated to the Appellant by letter dated 31.05.2019. The said letter along with the copy of amended bill were sent to the Appellant through normal post. In view of this, there is no substance in allegation levelled by the Appellant and therefore the prayer of the Appellant to initiate action for not responding IGRC does not arise and is liable to be rejected.

7. Heard the parties. I perused documents on record. The Respondent shown the photos of the site conditions which indicates that it is a slum and slightly difficult to approach. Similarly, the Appellant also shown the photograph showing the bills being put in a box fixed to the pole, which indicate that the bills are not delivered to the customers in general and therefore put in the box so that, the customers can pick up their respective bills.

8. The Appellant did not counter the photographs of site condition shown by the Respondent. On the same lines Respondent did not counter the photographs of bills being dumped in the box shown by the Appellant. Notwithstanding the fact that the site conditions are difficult to approach, the Licensee cannot escape the responsibility of delivering the bills to the consumers. However, with the advent of communication technology and its wide use by people at large via media can be found in communicating bills / its delivery etc. on Whatsapp, SMS and e-mail etc. Even the Commission has approved digital mode of communication in addition to the regular practise of serving the consumers through hard copies.

9. It is expected that both the parties will co-operate in these directions for greater degree of efficiency. During the hearing both the parties agreed on this account. Even the Respondent corrected e-mail id of the Respondent during the hearing itself.

10. With great constraint it is to record that IGRC of the Respondent is not functioning properly as in another case of Rep. No. 223 of 2019 similar allegations are levelled by the Appellants. The Respondent is therefore directed to look into the issue appropriately.


  
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11. Therefore, in view of the above, I do not find it necessary to interfere in the order of the Forum. In the result, this representation is disposed accordingly.

12. The Secretariat of this office is directed to refund an amount of Rs.1500/- deposited by the Appellant immediately.

Sd/-  
(Deepak Lad)  
Electricity Ombudsman (Mumbai)

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai

