



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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**IN THE MATTER OF GRIEVANCE NO. K/E/476/560 OF 2010-2011 OF SHRI
VELJI N. JAIN KALYAN (WEST) REGISTERED WITH CONSUMER
GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT
EXCESSIVE ENERGY BILL AND ILLEGAL DISCONNECTION.**

Shri Velji N. Jain
C/o. A. V. Jain,
A – 104, Hariom Society,
Opp. Dr. Koranne Hospital (old)
Rambaug Lane No. 04,
Kalyan (West) : 421 301

(Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Dy. Executive
Engineer, Kalyan West Sub/Dn No. I

(Here in after
referred to
as Licensee)

- 1) Consumer Grievance Redressal Forum has been established under regulation of "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress

the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission (MERC) vide powers conferred on it by section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer was a single phase LT consumer of the Licensee. The Consumer was billed as per residential tariff. The consumer registered grievance with the Forum on 23/12/2010 regarding the Excessive Energy Bill and illegal disconnection. The details are as follows :

Name of the consumer : Shri Velji N. Jain

Address: - As above

Consumer No : 020020408856 (permanently disconnected in Jan.2010)

Reason for Dispute : - Regarding Excessive Energy Bill
and illegal disconnection

- 3) The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/973, dt. 23/12/2010 to the Nodal Officer of the Licensee, and the Licensee through Dy. Executive Engineer MSEDCL Kalyan West Sub-Division No. I filed reply vide letter No. DYEE/Kalyan (W)/Sub.Dn.I/63, dt. 12/01/2011.

- 4) The Chairperson and Member Secretary of the forum heard both the parties at length on 18/01/2011 @ 16.00 Hrs. in the meeting hall of the Forum's office. Shri Velji A. Jain Consumer, Shri D. B. Nitnaware, Nodal Officer, Shri K. M. Jadhav, Asstt. Engr., Shri D. H. Agrawal, Dy. Ex. Engr., Shri S. N. Deshmukh, A.A. Representatives of the licensee attended hearing. Minutes of the hearing including the submissions made

by the parties are recorded and the same are kept in the record. Submissions made by the parties in respect of grievance since already recorded will be referred to avoid repetition.

- 5) The consumer has taken electricity connection from the Distribution Licensee (DL) to his premises in the year 1988. It is contended by the consumer that from Dec. 1998 till 2010 his house was locked and his consumption was Nil since he was in Coimatur, Tamilnadu, and inspite of this licensee issued bills of average consumption instead minimum. It is contended that consumer was paying the bills amount regularly but officials of the licensee did not adjust the same thereby showing him defaulter, his meter was permanently disconnected in the month of Jan. 2010 illegally. According to consumer he had complained on issuance of incorrect bills right from 1999 but none paid heed. He had specifically brought this mistake to the notice of the officials concerned Mrs. Gaikwad, Shri Pachpohe, Shri Sakpal, Shri Walvi by various applications and that due to utter negligence and carelessness his meter was permanently disconnected for no fault on his part. Consumer as stated above by various applications requested the licensee to adjust the amount already deposited by him time to time and restore his connection but not responded hence he moved the I.G.R. Cell, however, without adjustment of the amount nothing was done in respect of the reconnection of electricity. Therefore the consumer lodged this grievance with prayer to direct the licensee to restore the electricity without any charges.

- 6) Licensee vide reply dt. 12/01/2011 contended that the amount deposited by the consumer from 1998 till 2010 has been adjusted by giving credit of Rs. 1019.71 on 30/11/2010. Since consumer's meter was permanently disconnected in Jan. 2010 i.e. for more than six months as per the rules and regulations it cannot be restored automatically. It is contended P.D. consumer has to apply for new connection as per rules.
- 7) Admittedly consumer's meter was permanently disconnected in Jan. 2010 released in the year 1988. According to consumer he was in Coimatur (Tamilnadu) from Dec. 1998 to 2010 therefore his house was closed and his consumption was Nil and inspite of this licensee issued him bills as per average consumption instead minimum bills. By various applications i.e. 12/02/99, 18/05/2001, 04/06/2002, 30/03/2003, 18/01/2005, 20/04/06, 26/06/07, 20/09/07, 30/04/08, 28/08/08, 25/03/10, 29/03/10 consumer had requested the officials of the licensee to charge minimum bills but none paid heed. Consumer was depositing the amount as per bills and the bill amount was eventually adjusted in the year 2010. However, during this period treating the consumer defaulter his meter was permanently disconnected in the month of Jan. 2010, clearly pointing negligence and carelessness on the part of the officials of the licensee named in the applications referred supra. It is not that consumer avoided to make payment or defaulted. It is seen from the letters of the licensee dt. 21/10/10, 06/12/10 amount deposited by the consumer time to time was adjusted and eventually credit of Rs. 1019.71 was given on 30/11/10, and inspite of this meter of the consumer was

permanently disconnected in Jan. 2010 is squarely error on the side of the licensee. This is the example of utter negligence and carelessness on the part of the officials of the licensee for which they deserve to be saddled with compensation. To decide the quantum of compensation it is necessary to look to the voluminous record. Right from the year 1998 consumer pointed out that he is not residing in the premises nor electricity is being consumed therefore as per the rules and regulations bills for minimum consumption were required to be issued but unfortunately none bothered. It is the right of the consumer to get correct bills and duty cast on the licensee to raise correct bills. However, licensee utterly failed to issue correct bills during the span of twelve years is a matter of great concern. Taking into consideration the events, the span and the advance age of the consumer who suffered inconvenience, and mental agony to our considered view, compensation of Rs. 2,000/- would be just and adequate and the licensee is liable to pay the same to the consumer. Since meter of the consumer was illegally disconnected permanently, licensee is under obligation to restore his supply without any reconnection charges. In view of this grievance application will have to be allowed and hence the order :

ORDER

- 1) Grievance application is allowed.
- 2) Licensee is directed to restore the supply to the consumer without any reconnection charges within ten days from the date of receipt of this decision.

- 3) Licensee is directed to pay compensation of Rs. 2,000/- (Rs. Two Thousand) to the consumer within 90 days from the date of receipt of this decision.
- 4) Compliance should be reported within 100 days from the date of receipt of this order.
- 5) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address :

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.

- 6) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at the following address :

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

Date : 22/02/2011

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan