



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
Ph: – 2210707 & 2328283 Ext: - 122

**IN THE MATTER OF GRIEVANCE NO.K/E/108/0123 OF 07-08 OF**  
**SHRI DATTATRYA VISHWANATH GODBOLE REGISTERED WITH**  
**CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE**  
**KALYAN ABOUT EXCESSIVE FIXED CHARGES.**

Shri D. V. Godbole

(Here in after

Near Mhaskar Hospital,

referred to

Flour Mill, Murbad Road,

as consumer)

Kalyan – 421301.

**Versus**

Maharashtra State Electricity Distribution  
Company Limited through its  
Deputy Executive Engineer Kalyan  
(W) Sub Division I, Kalyan (W)

(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 vide powers conformed 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 is a L.T. consumer of the licensee connected to their 415-volt network. Consumer is billed as per I. P. Tariff. Electricity bill stands in the name of Shri Dattatrya Vishwanath Godbole and Shri T. F. Yadhav is using electricity. Consumer registered grievance with the Forum on dated 02/01/2008.

The details are as follows: -

*Name of the consumer: - Dattatrya Vishwanath Godbole*

*Address: - As above*

*Consumer No: - 020020049902*

*Reason of dispute: - Wrong assessment of motor H.P. Leading in incorrect levying of fixed charges for the motor.*

- 3) The batch of papers containing 13 pages above grievance was sent by Forum vide letter No.003 dated 02/01/2008 to Nodal Officer of licensee. The letter, however, remained unreplied.
- 4) The Member Secretary & Member of the Forum heard both the parties on 30/01/2008. Shri T. F. Yadhav, Shri J. A. Pardeshi representatives of consumer and Shri D. B. Nitnaware Nodal Officer, Shri G. T. Pachpohe

Deputy Executive Engineer, Shri C. S. Sakpal (LDC) representatives of the licensee attended hearing.

- 5) The consumer representative repeated his grievance & stated that the Licensee should not recover the fixed charges for the period 1994 to 1997 after laps of 13 years.
- 6) The Licensee submitted CPL & B-80 for the period i.e. year January

1999 to January 2006 is prepared and replied that the fixed charges

were not levied for the period 1994 to 1997. Incorrect fixed charges were levied for the period January 1998 to January 2006 & have been credited to the consumer by the bill dated 10. 07. 2007. Also in the same bill fixed charges for period 1994 to 1997 which had been recovered earlier were deducted.

- 7) Forum noted that Licensee had been very careless in handling of the complaint. Even for a small grievance, the consumer had to wait for a very long period of 7 Years.
- 8) If the Licensee had taken adequate measures at the time of grievance could have been solved then only.
- 9) The Licensee credited incorrectly levied fixed charges January 1996 to

January 2006. But according to section 56 (2) the Licensee cannot be deducted fixed charges for the period 1994 to 1997.

Section 56 (2) read as “ Not withstanding anything contained in any other law for the time being in force, no sum due from any consumer,

under this section shall be recoverable after the period of two years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrear of charges for electricity supplied and the licensee shall not cut off the supply of the electricity.”

- 10) In the above circumstances the forum is inclined to pass the following order unanimously.

**O-R-D-E-R**

- 1) Licensee should credit the deducted fixed charges for the period 1994 to 1997 to the consumer within next two billing cycle from the date of decision.

- 2) The compliance report for the same should be sent to the Forum.  
3) Consumer can file appeal against this decision with the Ombudsman at the following address.

Maharashtra Electricity Regulatory Commission, 606/608,  
Keshav Building, Bandra Kurla Complex, Mumbai 51

Appeal can be filed within 60 days from the date of this order.

- 4) Consumer, as per section 142 of the Electricity Act, 2003, can approach Maharashtra Electricity Regulatory Commission at the following address.

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

For non-compliance, part compliance or delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission

Grievance No.K/E/108/0123 of 07-08  
(Consumer Grievance Redressal Forum & Ombudsman) Regulation  
2003”.

**Date: - 14/02/2008.**

**(Saul V. V. Kelkar)**

**Member**

**CGRF Kalyan**

**Kalyan**

**(R.V.Shivdas)**

**Member Secretary**

**CGRF**