



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/0112/0128OF 07-08**  
**OF SHRI SHANKAR SITARAM PATIL REGISTERED WITH**  
**CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN**  
**ZONE, KALYAN ABOUT EXCESSIVE BILLING.**

Shri Shankar Sitaram Patil  
Bldg No. D-3, Block No. 104,  
Annapurana Nagar,  
Adharwadi,  
Kalyan (W)- 421301

(Here in after  
referred to  
as consumer)

**Versus**

Maharashtra State Electricity Distribution  
Company Limited through its Deputy  
Executive Engineer, Sub Dn.II,Kalyan(U)

(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 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 is a L.T. consumer of the licensee connected to their 415-volt network. The Consumer is billed as per residential tariff. The consumer registered grievance with the Forum on dated 29/03/2008 for excessive energy billing.

The details are as follows: -

*Name of the consumer: - Shri Shankar Sitaram Patil*

*Address: - As above*

*Consumer No: - 020020320257*

- 3). Reason for Dispute:

Arrears charged from November 2001 to December 2007 (for seventy four months) by Licensee dated 21.1.08.

- 4). The batch of papers containing above grievance was sent by Forum vide letter No62 dated 29.03.2008 to Nodal Officer of licensee. However letter is un-replied.
- 5). The Member Secretary & Member of the Forum heard both the parties on 24/04/2008 @ 15 Hrs. In the meeting hall of the Forum's office Shri S. S. Patil Consumer & Shri J. A. Pardeshi representatives of consumer and Shri D. B. Nitnaware Nodal Officer, Shri S. S. Bakshi Deputy Executive Engineer, Shri P. K. Taiwade Assistance Engineer & Shri M. S. Patil Accounts Assistance, representatives of the licensee attended hearing.
- 6). Consumer repeated his grievance.
- 7). As per the agreement dated 15.12.2000 for sale of the Block No.104 at 1st floor in the Yogeshwar Co-operative Housing Society, D-3 Building was purchased by Shri Shankar Sitaram Patil from the Promotor Shri Gugal Kishor Raj.
- 8). The consumer applied for change of name on dated 01.08.06 submitting following papers.
  - a). Application for change of name in the prescribed form A-1
  - b). NOC form
  - c). Form-R for change of name.
  - d). Affidavit by Jugal Kishor Raj for transfer of consumer No. 020020520273 and meter No.9000835679
  - e). NOC by Annapurna Developers.

It is observed by the Forum that except for the NOC by Jugal Kishore Raj, item No.(e) above all the other

documents had corrections in the address being the change in B. No.204 changed to Block No.104.

9). In response to the consumer's application, Licensee

effected change of name i.e. Shri Shankar Sitaram Patil.

10). The Linensee started issuing bills in the name of Shri Shankar Sitaram Patil till last bill dated 23.12.07.

During the above period, the Licensee Officials realized that on the above address Block No.104, there was a case of P.D. (Permanent Disconnection), due to non payment of bills. Hence they started sending bills for Block No.104 in the name of Chairman.

11). The Licensee communicated to the consumer vide letter No.56 dated 05.01.2008 that for flat No.104, electricity Supply was P.D. due to non payment of bill in 2001.

Licensee also informed the consumer about the error of Block No. and consumer No. and requested the consumer to make the payment of Rs.36,007/- by 29.1.08 failing which the supply will be disconnected with immediate effect.

12). The licensee also issued P.D.bill for payment of Rs.36,007/-(Rupees thirty six thousand seven only) towards the recovery of electricity charges and interest

on arrears for the period November 2001 to December 2007 (74 months).

- 13). The consumer replied the Licensee dated 17.1.08 that he has started residing in the Block No.104 since 2002 and the builder had given connection to Block No.104 from running meter and he has paid all the bills for the above meter. He has not ready to make the payments for P.D bill.
- 14). The consumer approached Internal Grievance Redressal Cell on 17.1.08 and registered the grievance. As the grievance was not solved, the consumer approached to the Forum.
- 15). At the time of hearing the Licensee submitted the Panchanama, CPL (Consumer Personal Ledger) for Block No.104 and CPL (Consumer Personal Ledger) for Block No.204. As per the Panchanama Report there is no meter for B-104 and supply to B-104 is given from meter for B-204, having meter No.835679 and reading is 04781.
- 16). Under normal condition, common man can make a mistake in consumer Number/meter number, but a mistake in the Residential address is immediately noticed by him. In this particular case, the consumer has not noticed/conveniently ignored and continued to make the payment of bills with a wrong address.

17). As per the records, submitted by Licensee, there is a discrepancy in the record. Consumer Personal Ledger shows the meter is in the name of the Chairman, while bill dated 23.12.07 clearly indicate the consumer Shri Shankar Sitaram Patil.

18). As per the CPL record, B-104 meter No.10588251, consumer No.020020320257 was made permanently disconnected in December 2001. The Licensee had given bill on 21.01.08 towards the payment of arrears against P.D. connection at above address. As per the Maharashtra Electricity Regulatory Commission, Supply Code Regulation 2005, Clause 10.5, the Licensee has no right to charge the said bill. The MERC Supply Code Regulation 2005 Clause 10.5 read as follows.

*“ Any charge for electricity or any sum other than a charge for electricity due to the Distribution Licensee which remains unpaid by a deceased consumer or the erstwhile owner / occupier of any premises, as a case may be, shall be a charge on the premises transmitted to the legal representatives / successors-in-law or transferred to the new owner / occupier of the premises, as the case may be, and the same shall be recoverable by the Distribution Licensee as due from such legal representatives or successors-in-law or new owner / occupier of the premises, as the case may be:*

*Provided that, except in the case of transfer of connection to a legal heir, the liabilities transferred under this Regulation 10.5 shall be restricted to a maximum period of six months of the unpaid charges for electricity supplied to such premises”.*

- 18). In the above circumstances the forum is inclined to pass the following Order unanimously.

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

- 1). The bill dated 21.01.2008 in which the Licensee has charged interest on arrears from November 2001 to December 2007 (74 months) amounting to Rs.18,942/- + Rs.17065/- = Rs.36,007/- is invalid and set aside.
- 2). According to Clause 10.5 of Maharashtra Electricity Regulatory Commission Supply Code, Licensee should prepare new bill which should be given to the consumer within 2 months from the date of this decision.
- 3). After the above bill is paid by the consumer, he can apply for new connection.
- 4). Compliance should be informed to Forum.

- 5). 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.

- 6). Consumer, as per section 142 of the Electricity Act, 003,

can approach Maharashtra Electricity Regulatory Commission 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 (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003”.



**Date :-15.05.2008**

**(Sau V. V. Kelkar)**

**(R.V.Shivdas)**

**Member**

**Member Secretary**

**CGRF Kalyan**

**CGRF**

**Kalyan**