

**Consumer Grievance Redressal Forum, Kalyan Zone**  
**Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301**  
**Ph– 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in**

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**IN THE MATTER OF GRIEVANCE NO. K/E/589/697 OF 2012-2013 OF**  
**SHRI RAMPATI MISHRA, DOMBIVALI (EAST) REGISTERED WITH**  
**CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN**  
**ABOUT EXCESSIVE ENERGY BILL .**

Shri Rampati Mishra  
Deo Apartments, Shop No. 09 & 10  
Kalyan Road, Dombivali (East) – 421 201

Versus

(Here-in-after  
referred  
as Consumer)

Maharashtra State Electricity Distribution  
Company Limited through its  
Dy. Executive Engineer  
Dombivali East Sub-Division No. II

(Here-in-after  
referred  
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under "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. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on 19/03/2012 for Excessive Energy Bill.

The details are as follows :

Name of the consumer :- Shri Rampati Mishra

Address: - As given in the title

Consumer No :- 020012214571

Reason of dispute : Excessive Energy Bill

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/0212 dated 19/03/2012 to Nodal Officer of licensee. The licensee filed reply vide letter No. EE/Domb/REV/1230, dated 07/04/2012.
- 4) Hearing was held on 09/04/2012 @ 15.00 hrs. The Chairperson and Member Secretary of the Forum heard both the parties in the meeting hall of the Forum's office. Shri Rampati Mishra Consumer, Shri Rangesh Mishra and Vijay Dagha consumer representatives & Shri Taiwade Nodal Officer, Shri Deore Asstt. Engr., Shri Wailthare Dy. Ex. Engr., 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.
- 5) The brief facts of the case are that the complainant with Consumer No. 020012214571 is having meter at Shop No. 09 since 1991. It appears inadvertently the readings were taken by licensee with residential tariff though the use was for commercial purpose. After noting this it was corrected and provisional assessment bill was issued under Section 126 of Electricity Act 2003. I.G.R. Cell dismissed the complaint of complainant on the ground that as the matter is related with Section 126 of Electricity Act

2003, the I.G.R. Cell has no jurisdiction. It appears the residential tariff was charged till 26/08/2010. On that day the Division Squad Dombivali inspected the premises and noted that in fact complainant was running a fruit shop and using the electricity for commercial purpose, so as per the provisions the provisional assessment bill was issued to the complainant for Rs. 56,810/- calculating the difference between RL to CL for 12 months as per the provisions of Electricity Act 2003. It also appears that after giving sufficient time to make the payment, as the payment was not made, on 15/06/2011 electricity connection of the complainant was disconnected. It also appears that on 16/08/2011 the complainant wrote to the licensee that he was ready to pay the 50% of the amount of the assessment bill but the same is yet not paid.

- 6) We have on record copy of report of Division Squad Dombivali, copy of the provisional assessment bill, copy of disconnection notice. We have also on record copy of meter testing report.
- 7) It is admitted by the complainant that the use was for commercial purpose. His approach to Licensee that he was ready to pay 50% of the amount of the assessment bill made it clear that by mistake the bills were issued with residential tariff.
- 8) This Forum is of the opinion that I.G.R. Cell was right enough to hold that it has no jurisdiction to entertain the complaint in view of the bar as contemplated the Regulation 6.8 the reason is obvious. The case is totally governed by Section 126 of Electricity Act 2003, so this Forum is also of the opinion that it has no jurisdiction to entertain the complaint and we do not find any reason to interfere in the decision given by I.G.R. Cell, so we upheld the same and pass the following order :

**OPERATIVE ORDER**

- 1) The grievance application is dismissed.
- 2) 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”.*

Date : 09/04/2012

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan

(S.K. Chaudhari)  
Chairperson  
CGRF Kalyan