



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/0120/0137 OF
07-08 OF SHRI BAHADURSINGH N. ACHSINGHANI
REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL
FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE
ENERGY BILL.

Shri Bahadursingh N. Achsinghani
Near BK 1506, Section 29,
Ulhasnagar – 4

(Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Deputy
Executive Engineer, Sub Dn - IV
Ulhasnagar .

(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 registered the grievances with the forum on dated 28/05/2008

Name of the consumer: - Shri Bahadursingh N. Achsinghani

Address: - As above

Consumer No.:- 021514192241

Reason of dispute:- Excess Billing against slow meter recovery penalty Rs.14,047/-, and excess load penalty Rs.11,820/-, total amount Rs.25,867/-.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/127 dt. 28/05/2008 to

Nodal Officer of licensee. The letter was replied by Licensee vide letter No.Dy.EE/ULH-Dn/B/714 dated 16/06/2008.

- 4) The Member Secretary & Member of the Forum heard both the parties on 19/06/2008 @ 15 Hrs & 30/06/2008 @ 15 Hrs. in the meeting hall of the Forum's office. Shri Bahadursingh Achsinghani Consumer & Shri A. K. Sharma, Deputy Executive Engineer, Shri V. Y. Kamble, Assistant Engineer, & Mrs. S. M. Khanderao (LDC) representatives of the licensee attended hearing.

- 5) Consumer repeated his grievances. The licensee charged slow meter recovery penalty Rs.14,047/- (Rupees Fourteen thousand forty seven only) and excess load penalty Rs.11,820/- (Rs. Eleven thousand eight hundred twenty only) totaling to Rs.25,867/- as per Flying Squad inspection report 08.08.02 in the month of June 03. Consumer disputed this bill saying that such recovery is illegal because meter was not tested either in front of him or given him any test reports.

- 6) Consumer further stated that on enquiry it was learnt that the same meter was not traceable with the licensee, hence further checking to confirm the accuracy of the meter is not possible, therefore, the recovery charged by the licensee on assumption basis, is illegal and needs to be withdrawn. He also stated that he had made No. of correspondence with the license for details but did not get any response from licensee.

The consumer submitted Xerox copies of all correspondence made with the licensee to the forum. The consumer meter was checked on 08.08.2002 by the Flying Squad and issued recovery bill and from there the dispute started. Since then i.e. during the period from 22.12.2003 to 02.05.2008, the consumer written 35 Nos. of letters to the licensee for his grievance and running pillar to post. But he has got no response from any level.

- 7) The licensee replied that consumer was approached to the IGRC on 19.01.2007 and registered the case as per registration No.4/07. The Chairman of Internal Grievance

Redressal Cell (IGRC) had given decision on 29.06.07 that **“total assessment should be withdrawn as the assessment was done on assumption, not on actual test”**. This conveyed us lately.

- 8) Forum suggested to the consumer to meet the licensee for getting the details of withdrawal amount and detail discussion. A meeting was fixed on 26.6.08 with the consumer by the license for this purpose. The licensee explained decision given by the IGRC and revision made thereby to the consumer in detail.
- 9). So second hearing was given to both the parties on 30.06.08. At this meeting, the licensee submitted a letter No. Dy.EE/ UIh.Dn/B/786 dt. 30.06.08 withdrawing the charges levied to

the consumer towards energy charges Rs.14,047.28, Excess load penalty charged Rs.11,820.00, Interest charges Rs.8776.44 and D.P.C. charges Rs.773.28 totalling to Rs.35,521.60 (Rupees thirty five thousand five hundred twenty one & paise sixty only) as on June 08. The licensee apprised the consumer regarding revision of assessment made on the basis of decision given by the IGRC chairman.

- 10) Forum observed that the consumer have not paid the energy bills regularly from May 2004 to Jan 2006, continuously for 21

months. But Licensee has not taken any action against the consumer for non-payment of energy bills. When asked the licensee about this, licensee replied that “ no any action is

taken from licensee side”.

- 11). Forum observed that though this matter was decided by IGRC on 29.06.07, this decision was not conveyed to consumer. Having aggrieved, the consumer thereafter approached the CGRF on 28.05.08 and when the CGRF referred the matter to licensee, then IGRC conveyed the decision to the licensee authority. In this case, had the consumer been informed well in time about the decision of IGRC, he would not have suffered more and the consumer has been unnecessarily deprived off the benefits of decision, having no fault in his side. It is pertinent to note that had the consumer not

approached the CGRF, he would have remained aggrieved and his problem unsolved for ever.

- 12). After hearing both the parties and study all the papers, the forum unanimously passes the following order.

O-R-D-E-R

1. The licensee should withdraw total recovery of Flying Squad report i.e. slow meter recovery, excess load recovery, DPC and interest, charged on it and final bill be issued within two billing cycles on the basis of Internal Grievance Redressal Cell Chairman's decision given on 29.06.07 and as committed by licensee vide letter No.DY.EE/Uih.Dn/B/ 786 dated 30.06.06.
2. The compliance should be reported to the forum.
3. The 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, 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: - 07/07/2008.

(Sau V. V. Kelkar)

(R.V.Shivdas)

Member

Member Secretary

CGRF Kalyan

CGRF

Kalyan