



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/0129/0147 OF 08-09**  
**OF SMT. SUSHEELA HEMATKAR C/O MRS. PADMA UTTAM**  
**WALUNJ REGISTERED WITH CONSUMER GRIEVANCE**  
**REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT**  
**EXCESSIVE BILLING.**

Smt. Susheela Hematkar

C/o Mrs. Padma Uttam Walunj  
Gurudev Nagar, Near Dattamandir,  
C/03, Lane No. 62, House no.2/3/16  
Wadeghar, Kalyan (W).

(Here in after  
referred to  
as Consumer)

**Versus**

Maharashtra State Electricity Distribution  
Company Limited through its Deputy  
Executive Engineer, Sub Dn.1(East)

(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 21/07/2008 for excessive energy billing. The connection in the name of Smt. Susheela Hematkar and Mrs. Padma Uttam Walunj is the user of the electricity. The details are as follows: -  
*Name of the consumer: - Smt Susheela Hematkar*  
*C/o. Mrs. Padma Uttam Walunj*  
*Address: - As above*  
*Consumer No: - 020021005131*  
Reason for Dispute:- Excessive energy bill against Permanent Disconnection arrears.

- 3). The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/197dt.21/07/2008 to Nodal Officer of licensee. However, the letter is un-replied.
- 4). The Member Secretary & Member of the Forum heard both the parties on 24/07/2008 @ 15 Hrs. In the meeting hall of the Forum's office Shri B. R. Mantri Consumer's representative & Shri D. B. Nitnaware Nodal Officer, Shri S. S. Bakshi, Deputy Executive Engineer, Shri R. G. Dhurke, Juniouir Engineer & Shri M. S. Patil Assistant Accountant representatives of the licensee attended hearing.
- 5) The Consumer's Representative repeated the grievances that the consumer was not getting the electric bill as it was Permanantly Disconnected (PD) since June 2003. Therefore after purchase of the premises by Mrs. Padma Uttam Walunj, she approached the licensee on 25.04.05 for new electric bill, taking upto date meter reading of 8170 units, from May 03 to Feb.05. At that time the licensee given a bill dated 25.4.05 for Rs.1764.28, for 8170 units. The C.R. stated that thus the consumer has paid the bill upto date, upto Feb.05. The C.R. stated that since then they are approached MSEDCL No. of times for electric bill. But licensee did not respond. The C.R. stated that on 29.5.08 the licensee issued a bill for 61 months for a total 11182 units (from previous reading 2805 units) for Rs.38,828./-. C.R. stated that they have paid upto the reading of 8170 unit in February 05. Therefore C.R. demand to issue

revise bill on average basis of the consumption of the new meter within the installments of 12 months. Meter should be tested in front of him and make available all test reports and reconnect the supply immediately.

6. The licensee stated that C. R's statement that the consumer have paid bills upto 8170 units on Feb.05 is not correct. When the consumer approached the licensee with the update reading of 8170 units, licensee issue only a minimum bill for 22 months and not for 8170 units, because the connection is P.D. in the record. The licensee stated that the consumer is permanently disconnected in June 2003 for payment of arrears. But the meter remained in the premises by mistake and consumer gone availing the supply. Since the PD status appeared in the record, billing was stopped. The meter reader also not taken reading continuously for about five years due to connection is PD. The licensee further stated that the last payment made by the consumer is 12.5.03. The consumer approached to licensee on 25.4.05 and informed that they are availing the supply and the present reading is 8170 units. Then the licensee issued minimum bill for 22 months amounting to Rs.1764.28, as the connection is PD in the record, the bill on accumulated units can not be issued unless it is made alive. The licensee stated that after that they informed the Sub Divisional Officer to physically verify the position and submit a proposal for making the PD connection

to alive. But licensee could not produce any proof against this statement. The supply was made alive upto 28.5.08 and again temporarily disconnected on 4-5/7/08.

7. However, in the Test Report Section officer (JE) dated 28.5.08 it is stated that “when inspected the premises meter found in the installation and reading is 13987 units on 28.5.08. On enquiry it is revealed that the said connection made PD in 2005 and PD amount of Rs.1761/- is paid on 26.4.05 and reconnected the supply on 26.4.05. But it is understood that since then no bill is issued to the consumer. Since the consumer is ready to pay the bill as per average consumption of new meter, it is recommend to consider the same” which is some what different to the statement of the Billing Section.
8. The forum observed that main mistake is of meter reader. The meter reader did not take the reading of this meter while taking the reading of other meters in the same lane for so many years. Also he has not pointed out to billing Section about this meter is in the installation even after PD and availing supply as other consumers. Due to not taking reading of this meter, meter reader knowingly committed offence and allowed the consumer freely enjoy the supply without any cost and Meter Reader is liable for punishment.
9. The Sectional Officer (Area incharge) is also equally responsible for this innumerable loss of the licensee. It is the

duty of the S/O to check the PD connection, particularly the PD consumer who do not come forward for reconnection, periodically to ascertain whether the consumer is availing illegal supply. If so, action can be taken against the consumer or he can make the PD connection to live connection and proposal submitted to the billing for start the billing , to avoid further loss of the licensee. If the Sub Divisional Officer carried out the Energy Audit on the basis of report given by the Section Officer. of all the DTCs in his area in a proper manner, this could have been detected. The S/O is not taken any action and taken it casually as if it is not his botheration.

- 10) Therefore stern action should be taken against the concerned billing clerk, Meter Reader and Section Officer concerned in this case. If no action is taken against the concerned for such serious offences, such type of negligence will continue everywhere and licensee can not improve its defective system ever and will not get actual revenue from consumers.
- 11) The licensee has tested consumer's dispute-meter by meter testing engineer Shri Kamat on 25.07.08 in front of Mrs. Padma Uttam Walunj & Shri B. R. Mantri consumer representatives, CGRF members, licensees representative Shri R. G. Dhurke Junior Engineer, Parnaka, and results are found within permissible limits.

- 12) Forum observed that the licensee can not charge bill for 61 months abruptly because the Electricity Act 2003 56(2) mentioned that “***Notwithstanding 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 arrears of charges for electricity supplied and the licensee shall not cut off the supply of the electricity.***” Forum observed that the licensee should be charged bill to the consumer for 24 months only i.e. 11182 units for 61 months hence per month consumption comes to 183.03 units per month.
- 13) Forum observed that if the periodical checking is carried out by licensee promptly as per rules, this PD connection would not have been remained availing electric supply for more than 5 years, without billing resulted to huge revenue loss to the licensee.
- 14) After hearing both the parties, studying all available documents submitted by Licensee as well as consumer, forum unanimously passed following order.

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

1. The energy bill issued to the consumer by Licensee dated 29.5.08 for 61 months for an amount of Rs.38,828/- for 11182 units is quashed and set aside.
2. The licensee should be issued revised energy bill to the consumer only for 24 preceding months from the date of 29.05.08 without interest/DPC within 60 days from the date of this decision(as per Sr.No.12 above).
3. Compliance should be informed to Forum within 60days from the decision of the forum.
4. 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.

5. 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 :- 31/07/2008**

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

**(R.V.Shivdas)**

**Member**

**Member Secretary**

**CGRF Kalyan**

**CGRF**

**Kalyan**