



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

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**IN THE MATTER OF GRIEVANCE NO. K/ E/ 0149/ 0170 OF**  
**08-09 OF D. M. TRUST, DOMBIVALI (EAST) REGISTERED**  
**WITH CONSUMER GRIEVANCE REDRESSAL FORUM**  
**KALYAN ZONE, KALYAN ABOUT EXCESSIVE BILLING.**

D. M. Trust  
User Shri Raghunath Krushnarao Sanzagiri  
Shri Gyan Jyoti Building, Ram Nagar  
Dombivali (East) : 421 202

} (Here in after referred to as Consumer Representative)

**Versus**

Maharashtra State Electricity Distribution  
Company Limited through its  
Dy. Ex. Engineer, O&M Sub-Division  
No. I (East) Dombivali

} (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. The consumer's name is Dnaneshwar Math Trust (D.M.Trust) and user is Shri Raghunath Krushnarao Sanzagiri. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on dated 12/12/2008 for excessive billing.

The details are as follows: -

Name of the consumer: :- D. M. Trust

Address: - As above

Consumer No : - 020010114102

Reason of dispute: Excessive energy bill towards unbilled period.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/374 dated 12/12/2008 to Nodal Officer of licensee. They replied vide letter No. DYEE/Domb/Sub.Dn. East/47, dated 03/01/2009.
- 4) The Member Secretary & Member of the Forum heard both the parties on 05/01/2009 @ 15 Hrs. in the meeting hall of the Forum's office. Shri R. K. Sanzgiri, Consumer's representative & Shri S. M. Jadhav, Acting Nodal Officer, Shri T. A. Davis, Jr. Engineer, Shri K. N. Jaikar, UDC., Shri P. S. Kulkarni, LDC representatives of the licensee attended hearing.
- 5) Consumer stated that on 11/02/2000 he received disconnection notice from licensee for payment of arrears. On 14/08/2000 he paid bill amounting to Rs. 6155/- with interest. On 17/11/2005 he

paid Rs. 2130/-. He was not getting the bills since his P. C. was changed from P. C. 2 to P. C. 6. On 05/09/2006 he received bill for 70 months of 8400 units, average 120 units per month, amounting to Rs. 32,260/- which is disputed by him. At the beginning the consumer was getting bills for the units 40 to 50 per month but after 2006 he is getting bills on average basis in the range of 120/163/214 units per month. He has paid total bill amount Rs. 38021/- from 22/02/2007 to 29/11/2008. But the arrears amount is shown on his monthly bill & the same is increasing due to D.P.C. charges which is not accepted by him because bills were not issued to him by licensee for 70 months, even though he himself has informed to the licensee to issue him bills. The consumer said he is not able to pay this huge amount at a time and insisted the licensee to permit him to pay the bill amount in suitable installments. He has disputed the following points :

- a). Per Month 120 units is not accepted to him.
- b). His meter is replaced which is not acceptable to him since his meter is in working condition.
- c). The interest and DPC charged on the 70 month's arrears are not acceptable, as it is entirely licensee's fault. Balance payment will be made in installments.
- d). On 29<sup>th</sup> Nov. 2008 his meter was taken away without notice and on the same day the meter was installed after payment of Rs. 4000/- by him.
- e). Action is not taken by licensee though he requested for issue of the bills.

6. The licensee represented that the consumer was issued 15 days notice on 10.10.08 as per I.E.Rule 2003, Section 56 (1), and the meter was taken from the installation of the consumer on 08.11.08 for want of payment of arrears. In Aug. 2000 the consumer has paid Rs.6155/- against the arrears of 6760/- At that the consumer's last payment made was on 18.02.94. When payment made in Dec.2000 the arrears was Rs. 2165/- As per the replacement report of JE dt. 12.07.06, the billing was started from July 06 onwards on the meter No.1010032408. On this the bill was issued upto Oct.2000 reading of 8790 units. The reading on the same meter in Sept. was 7834. Thus meter found overflow after completion of four digits. After issuing bill in Oct.2000 upto 8790 units, the licensee has not issued bill from Dec.2000 upto June 06, due to PD status in the record, but the meter was in the circuit and the consumer gone availing supply without bills. This is not come to the notice of licensee. As per the B-80 prepared and processed for sanction, the consumer given credit of Rs.3716.63, and the interest /DPC charged upto this date has been waived. On receipt of sanction the revised bill will be issued to the consumer. The consumer approached and given a letter to C.E. vide his letter No.51 dt. 6.2.07. If he marked a copy of this letter to the Domb. (E) Sub Dvn. necessary action would have been taken at that time. As per consumer's request on 6.12.08, the meter has been tested and a copy of the test report given to him. Thus it can be seen that there is no injustice done against the consumer, as stated by him.

7. Forum instructed to licensee that following details should be submitted by licensee on 9<sup>th</sup> January 2009 to the forum.
  - a) Calculation for 24 months back from the date of charged bill for 70 months net units & net amounts without D.P.C. Interest amount.
  - b) Details of amount paid by the consumer against the 70 months arrears.
  - c) Xerox copies of correspondence made by licensee with higher offices regarding B-80 proposal.
8. Forum observations: - Following events are noted by the forum:
  - i). Consumer received disconnection notice on 11.02.2000
  - ii) Consumer paid Rs.6155/- on 14.02.2000 with interest
  - iii) Consumer paid Rs.2130/- on 17.11.05
  - iv) Due to change of PC No bills issued to the consumer by licensee.
  - v) Consumer received bill of Rs.32260/- on 5.9.06 for 70 months for 8400 units (@ 120 units per month) which he disputed.
  - vi). Consumer approached to the licensee for issuing bills
  - vii) He demanded instalments of total amount of Rs.39021/-
  - viii) B-80 proposed and processed for sanction for credit of Rs.2716.63 waiving DPC/interest.
  - ix) Licensee said consumer met and given a letter to CE, copy not given to concerned licensee office. Consumer given some letters to other offices but not given to

concerned Sub Division. If given copy to Sub Dvn they would have initiated their action.

- x) The consumer status in Oct.2000 is Permanently Disconnected (PD).
  - xi) B-80 of PC-2 is given for 72 months for Dec.02 to Dec.06
  - xii) One credit note submitted to higher authority by licensee for sanction on dated 30/10/06.
  - xiii) B-80 of PC-6 is given on 04.11.06 for sanction for 9044 units giving credit of Rs.3816=63.
  - xiv) The consumer is constantly following up for redressal of his grievances and the licensee action such as B-80, credit notes are under process. Also licensee shown the arrears continuously in C.P.L.
9. It is responsibility of the licensee to see that meter reading is done regularly & bill is issued regularly of each & every consumer as per MERC's (Standard of Performance of Distribution Licensee's period for Giving supply & Determination of Compensation) Regulation 2005, Clause No. 9.1 which is read as follows:-
- “Reading of consumer’s meter shall be undertaken by the authorized representative atleast once in every three months for agricultural consumers and atleast once in every two months for all other consumers”.***

10. Electricity Act, Section 56(2) reads as follows:-  
***“Notwithstanding any thing 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”*** Hence consumer is liable for 24 months recovery only from the first assessment bill issued by the licensee on 05.09.2006 without DPC/Interest.
11. The documents asked as above are not submitted by the licensee till to day, hence forum given the decision on the documents available.
12. After hearing & studying all available documents submitted by both the parties, forum come to the conclusion unanimously and pass the following order :

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

1. The bill issued on 05/09/2006 for 70 months of 8400 units, average 120 units per month, amounting to Rs. 32,260/- is hereby quashed and set aside.
2. The payment made by the consumer against above amount should be adjusted in ensuing bills from the date of decision.

3. The revised bill for 24 months back from 05.09.06 should be charged by licensee without DPC/interest. (see para-10 above).
4. Action should be taken against the concerned staff for not taking meter reading and issuing the bills.
5. Compliance should be given to the forum within 60 days from the date of decision.
6. Consumer can file appeal against this decision with the Ombudsman at the following address.

*“Maharashtra Electricity Regulatory Commission,*

*606/608,KeshavBuilding,BandraKurlaComplex,Mumbai 51”*

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

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

*“Maharashtra Electricity Regulatory Commission,*

*12th 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 :- 04/02/2009**

(Sau V. V. Kelkar)  
Member  
CGRF Kalyan

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan



