



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/0151/0173 OF 08-09
OF M/s.SANTOSH BUILDERS C/O. SMT. VIJAYA B. KAMBLE
REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL
FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE BILLING.

M/s. Santosh Builders
C/o. Smt. Vijaya B.Kamble
Lake View CHS., Block No. 15
Santoshi Mata Mandir Road,
Kala Talao, Kalyan : 421 301

} (Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Ex. Engineer, O&M Sub-Division
No. III, Kalyan (West)

} (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 is billed as per residential tariff. The name of consumer is M/s.Santosh Builders but the user of electricity is Mrs.Vijaya B. Kamble. Consumer registered grievance with the Forum on dated 19/12/2008 for excessive billing.

The details are as follows: -

Name of the consumer :- M/s. Santosh Builders,

C/o. Smt.Vijaya B.Kamble

Address: - As above

Consumer No : - 020020324865

Reason of dispute: Excessive energy bill.

- 3). The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/389 dated 19/12/2008 to Nodal Officer of licensee. They replied vide letter No. SE/KCK-I/T/CGRF/5680, dated 22/12/2008.
- 4). The Chairperson, Member & Member Secretary of the Forum heard both the parties on 29/01/2009 @ 16 Hrs. in the meeting hall of the Forum's office. Smt. Vijaya Kamble, Consumer & Shri Ajay Kamble, & Shri Mantry Consumer's representatives & Shri D. V. Bhojane, Asstt. Engr. , Shri S. M. Kadi Dy. Executive Engineer, Sau. A. V. Jogdeo Assistant Accountant, representatives of the licensee attended hearing.

- 5). Shri B.R.Mantri, Consumer's Representative (CR) stated that the consumer was not staying at the residence "Santosh Apartment, Block No.1 Chikhale Baug, Dombivali and staying with her mother at Lake View CHS Block No.15, Santoshi Mata Mandir Road, Kala Talav, Kalyan from 2000 to 2005. No monthly billing was done, even after request of the consumer. All of a sudden a bill of Rs.60,000/- was issued and then it was revised and passed a B-80 of Rs.23,358/- for a period of 3 years alongwith DPC for the irregularities done by the licensee. The consumer was not ready to pay this amount because the licensee did not issue bills from 2000 to 2005 and disputed the arrears. For this licensee officers are responsible. The consumer requested to revise the bill and issue current bills till the dispute is redressed. The consumer has paid Rs.5000/- on 5.1.08 against provisional bill when the supply was disconnected. Reconnection charge of Rs.25/- recovered on 05.01.08 receipt No.312195. . Disconnection notice not issued by licensee. It was TD and then PD from 2000 to 2005 but meter was in place. So why reconnection charges are recovered. The licensee said meter is faulty and instructed the consumer to pay meter cost of Rs.1000/- the same was paid on 22.3.05. but they did not replace the meter till to day. Disconnection was done without notice. On 22.3.05 when approached consumer to the licensee, they issued a bill. From 10.9.1999 onwards no bills were issued. In March 2001 it was disconnected. Paid reconnection charges and got reconnected in March 05. During this period no supply was available. In the billing status it was PD and billing

stopped, but meter was in the circuit. The consumer wanted to revise the higher side assessment of B-80 and stay order against disconnection, as the licensee is threatening about the disconnection for payment of this unjustified assessment.

6). The licensee represented that during 2000-05 the connection was disconnected. In March 01 it was PD for non payment of arrears but meter was in place. The consumer was issued a bill of Rs.60,000/- on faulty meter status considering the unbilled period for 36 months. The same has been revised and B-80 for Rs.23,358/- has been processed to the competent authority for approval. They have given a credit of Rs.37,310.78 (for the less unit of 8722) in this B-80 proposal. The consumer has been instructed to pay current bills keeping the dispute amount aside. The consumer has not paid any bill from 19.9.99 onwards. In Jan.08 they paid Rs.5000/- against arrears. The consumer is not agree with B-80 amount of Rs.23,358/- and wanted to revise the bill again. The consumer then approached the CGRF.

7). The CPL made available is only from Dec. 2007 and onwards. Forum asked the licensee to submit the CPL from Jan.05 i.e. from the date of connection to Nov.07. Copy of disconnection notices issued, receipt of reconnection charges paid, copy of demand note for paying meter cost, payment receipt etc are also to be submitted to forum. The licensee submitted above information vide letter No.200 dt. 06.02.09 except disconnection notice.

- 8). Forum observed that :
- a). On 28.11.08 the consumer approached CGRF with grievance of not getting bills from last 3 years and illegal disconnection of supply on 27.11.08. She has prayed for reliefs of (i). reconnection of supply and (ii) issue of revised bill. She had approached IRGC on 15.10.08, as per her application. Thus she had approached this CGRF prior to completion of 60 days from the date of approach to IGRC. Therefore as per procedure, the forum intimated to Nodal Officer vide L.No.357 dt.29.11.08 to submit point wise information within 15 days and on enquiry on phone with concerned licensee's officer regarding the position of the supply, the concerned officer agreed to reconnect the same. It appears that accordingly the electric connection to the complainant / applicant was reconnected subsequently.
 - b). The licensee could not give any decision or solved her grievance within 60 days. Therefore she approached to CGRF and registered her grievance on 18.12.08 In her grievance /application, she prayed for relief of (i) stay order for disconnection, and (ii) issue of revised bill. However on the date of her application, since the supply was already reconnected, stay for disconnection not felt necessary.
 - c). From 10.9.99 onwards no bills were issued. In March 2001 it was disconnected. Paid reconnection charges and got reconnected in March 05. During this period no supply was available. In the billing status it was PD and billing stopped, but

meter was in the circuit and the consumer was availing the supply.

- d). It is observed that the consumer was issued in July 08 a bill of Rs.57,670/- for the unbilled period for 36 months. The same has been revised and B-80 for Rs.23,358/- has been processed to the competent authority for approval.(As per CPL in March 08 initial reading was 1 and meter reading 14867 = 14866 units for 36 months. But consumer was already billed upto 5666 units. Therefore $14866 - 5666 = 9200$ units divided in 36 months).
- e). As per licensee's calculation the units consumption for 36 months are 9200. For 24 months the calculation is $9200 / 36 \times 24 = 6133$ units. Hence licensee is entitled to charge the bill only 6133 units without DPC & interest for which the licensee has agreed vide letter No.200 dt. 06.02.09 . The above calculation is based on I.E.Act 2003,Section 56(2).
- f). The reconnection charge of Rs.25/- and meter cost of Rs.1000/-recovered from consumer should be adjusted in ensuing bill from the date of decision.
- 11). After hearing both the parties, studying all available documents submitted by Licensee as well as Consumer, forum unanimously passed the following order.

-O - R - D - E - R-

- 1) The licensee should charge the bill for 6133 units only without DPC & interest (as per para 8(e).
- 2). The licensee should adjust the reconnection charge of Rs.25/- and meter cost of Rs.1000/-recovered from consumer in ensuing bill from the date of decision.
- 3). The licensee could not produce any evidence regarding disconnection notice and violated the I.E.Act 2003, Section 56(i). Hence the consumer is eligible for compensation of Rs.200/- against disconnection without notice and the same should adjusted in the next current bill.
- 4). The amount paid by consumer (if any) against the assessment bill of 36 months, should be adjusted in the revised bill.
- 5). Compliance should be submitted to the forum within stipulated time.
- 6). 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.

- 7). Consumer, as per section 142 of the Electricity Act, 2003, 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 : 10/02/2009

(Mrs. V.V.Kelkar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(M.N.Patale)
Chairman
CGRF Kalyan