



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/321/358 OF 2009-2010 OF MRS. JAINBBEE MUSAFIR KHAN, KALYAN (WEST) , REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL.

Mrs. Jainbbee Musafir Khan
Behind Musafir House Building,
Jetha Compound. Bail Bazar
Kalyan (West) : 421 301

(Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Dy. Executive
Engineer, Kalyan West Sub/Dn No. III

(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 (MERC) 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 single phase LT consumer of the Licensee. The Consumer is billed as per residential tariff. The consumer registered grievance with the Forum on 22/01/2010 regarding the Excessive Energy Bill. The details are as follows: -

Name of the consumer : Mrs. Jainbbee Musafir Khan

Address: - As above

Consumer No : 020022100841

Reason for Dispute : - Regarding Excessive Energy Bill

- 3). The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/0036, dt. 22/01/2010 to the Nodal Officer of the Licensee, and the Licensee through Dy. Executive Engineer MSEDCL Kalyan West Sub/Dn No. III filed reply vide letter No. DYEE/KLN(W)/Sub.Dn.III/259, dt. 06/02/2010.

- 4) The Members of the forum heard both the parties at length on 15/02/2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Aslam Nijam Shaikh, Consumer, Shri S. M. Kadi, Dy. Ex. Engr., Shri T. A. Davis, Jr. Engr., Smt. A. V. Jogdev A. A. 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. Submissions made by the parties in respect of grievance since already recorded will be referred to avoid repetition.

- 5). It is the case of consumer that she was allotted Meter No. 9001554185, consumer No. 020022100841. Since installation of the said meter it was running fast and the average consumption was in the range 8/9 units per

day. Though consumption was minimum, according to the consumer considering her need of electricity average monthly consumption was expected in the range 240 to 270 units per month however, she was getting bills of consumption around 350 units which was high. In addition to fast running of meter, according to consumer without taking proper meter reading and bills showing 'Faulty Meter', the officials of the licensee use to give incorrect bills and that most of the times consumer had to approach the concerned office in respect of excessive bill. It is contended that on the complaint of consumer dt. 29/03/06 her earlier meter was changed and new Meter bearing No. 2529343 was purchased by the consumer and was tested by the licensee and installed replacing the old meter on 26/06/06. It is contended even after installation of the new meter, consumer did not receive electric bill in time and whatever bills issued were incorrect therefore the consumer approached the concerned office in order to receive bills. In spite of repeated complaints, consumer did not receive electricity bills, therefore on 01/11/07 she complained to the licensee, however the officials of the licensee without considering her complaint on bill, permanently disconnected her meter on 31/10/07. However, on request of consumer her supply was reconnected on 06/11/07. In spite of changing the meter, consumer was given excessive bills, therefore consumer for all these reasons made complaints bearing No. 02/09, to IGR Cell Kalyan who in turn, by order dt. 31/08/09 directed the licensee to correct the electricity bill for the period from January 07 to June 07 and further for the period from Oct. 07 to Nov. 08. IGRC also directed the licensee to pay compensation to the consumer to the tune of Rs. 200/-. Consumer dissatisfied with the

grant of partial relief by IGRC lodged this reference to this Forum with prayers to direct the licensee to correct the bills for the entire period from April 05 to Dec. 09 as the bills were excessive and further to direct the licensee to pay cost of meter as it was purchased by her and to pay interest on the amount received towards excessive billing.

- 6) Licensee contended that as per the directions given by IGRC vide order dt. 31/08/09 after correcting the electric bills outstanding amount comes to Rs. 2365.82 and on getting sanction from the higher authority it would be fed to the computer. It is contended that newly installed meter since purchased by the consumer's cost could be refunded and that compensation of Rs. 200/- would be credited in the account of the consumer thereby order of IGRC would be complied with. In short, it is the contention of the licensee that entire electricity bills have been rectified and now balance against the consumer comes to Rs. 2365=82.
- 7) On perusal of the record and hearing both the parties following points arise for the consideration of Forum and findings thereon for the reasons recorded below :

Points	Findings
a)Whether it is proper to direct licensee to issue correct electricity bills as per consumption ?	Yes
b)What Order ?	As per Order below

Reasons

- 8) Consumer has placed on record order of IGRC dt. 31/08/09 in complaint No. 2/09 alongwith the copies of complaint applications made since the year 2006. As against this, officials of the licensee filed on record CPL and

the Action Taken Report dt. 20/02/10. On going through the complaint application grievance of consumer is that she was getting incorrect electricity bills April 2005 onwards and the same need to be corrected. It is further her grievance that new meter was purchased by her however, licensee did not repay the cost as per the directions of the MERC and SOP. On perusal the order of IGRC it is seen that bills for the period from Jan. 07 to June 07 and Oct. 07 to Nov. 08 were considered by the IGRC. As stated above complainant's grievance is about the excess bill for the entire period April 05 onwards. In this context Dy. Executive Engineer, Kalyan West Sub/Dn. No. III by detail say dt. 20/02/10 and by way of CPL pointed out that on scrutiny of the bills for the entire period as above bills are corrected and the correct figure is shown to the credit of the consumer. According to consumer she has so far paid Rs. 47,700/- and the last bill was for Rs. 38,350/-. On perusal the report dt. 20/02/10 and the CPL it is clear officials of the licensee on detail scrutiny and bifurcating the arrears as per the slab prepared bills i.e. slab tariff benefit showing the excess received amount towards credit side of consumer, therefore the grievance putforth by the consumer on incorrect bills from April 05 onwards can said to be redressed by the officials of the licensee in toto. On the premise licensee can very well be directed to issue correct bills as per the consumption of electricity to the consumer.

- 9) So far cost of meter newly installed, the Dy. Executive Engineer, Kalyan West Sub/Dn. No. III vide letter dt. 20/02/10 in para (5) clearly pointed out that the said meter was purchased by the consumer, therefore cost of the same will be have to be refunded to the consumer, therefore the licensee can also be directed to refund the cost of the meter to the consumer.

10) As regards interest on the amount recovered in excess so far from the consumer it is seen from the detail report of the Dy. Executive Engineer, Kalyan West Sub/Dn. No. III as above, entire received amount towards the electricity bill has been bifurcated and the amounts so received in excess has been credited to the account of the consumer with interest therefore again giving interest on interest would be unsustainable. From this point of view since licensee credited excess amount with interest to the account of consumer as seen from the detail report referred to above hardly question of interest arises therefore, we find no force in the submission of consumer as above.

11) It is to be noted that the officials of the licensee without issuing notice had disconnected the electric supply after new meter duly tested was installed however, lateron electric supply was restored. IGRC considering the record as a whole, and we also on detail scrutiny find proper to compensate the consumer on this aspect referring Section 56 (1) of Electricity Act 2003. Considering the period of disconnection i.e. 31/10/07 to 05/11/07 we feel compensation of Rs. 200/- (Rs. Two Hundred only) is just and proper. The licensee therefore, will have to be directed to pay Rs. 200/- as compensation to the consumer in the context referred to above. In view of the discussion supra grievance application will have to be partly allowed. Points are answered accordingly and we unanimously pass the following order :

ORDER

- 1) Grievance application is partly allowed.
- 2) Licensee is directed to issue correct bills as per the consumption of electricity to the consumer.

- 3) Licensee to pay compensation of Rs. 200/- (Rs. Two Hundred only) to the consumer within 90 days from the date of receipt of this order.
- 4) Licensee to refund the cost of the newly installed meter to the consumer within 15 days from the date of receipt of this order.
- 5) Compliance should be reported within 90 days from the date of receipt of this order.
- 6) The Consumer can file representation against this decision with the Ombudsman at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”

Representation 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 at 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” within 60 days from the date of this order.

Date : 11/03/2010

(Mrs. S.A. Jamdar)
Member
CGRF Kalyan

(R.V. Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan