



Consumer Grievance Redressal Forum, Behind "Tejashree",
Jahangir Meherwanji Road, Kalyan Zone Kalyan (West) -
421301

Ph.– 2210707 & 2328283 Ext:- 122 Fax : 2329488

**IN THE MATTER OF GRIEVANCE NO.K/E/031/0033 OF 05-06
OF SMT. SHUBHANGI KANTAK REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN
ZONE, KALYAN ABOUT REMOVAL OF THE METER AFTER
MAKING PAYMENT & EXCESS ENERGY BILL
THEREAFTER.**

Smt. Shubhangi Kantak (Here in after
Shop No 20, Anuradha Apartment Shivaji referred to

Chowk Navipada, Kulgaon Badlapur(E) as
consumer)

Versus

Maharashtra State Electricity Distribution Co. Here in after

Ltd.through its Deputy Executive Engineer, referred to

Sub –Division Badlapur

as licensee

- 1) Consumer Grievance Redressal Forum has been established under regulation of “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation, 2003” 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 L.T. consumer of the licensee connected to their 415 volt LT network. The consumer is billed on commercial tariff. The consumer registered grievance with forum on 9/10/05. The details are as follows.

Name of consumer: - Smt. Shubhangi Kantak

Address: - Same as above

Consumer No.: - 021540228113.

The electric bill stands in the name of M/S Shkar Developers Anuradha Apartment; Shop No 20 Shivaji Chowk Navipada Pin 421503 & Mrs. Subhangi Kantak is the consumer using energy for commercial purpose for shop.

Reason of dispute: Electric meter of consumer was removed by licensee on 19/11/04 & electric supply was disconnected though the full amount of the bill of Rs 840/- of the period 17/8/04 to 15/10/04 was paid by the consumer on due date

of payment of 16/11/04. Thereafter a bill for the period from 15/10/04 to 15/12/04 of Rs 970/- was sent to consumer on average consumption of 200 units even though there was no meter at consumer premises & electric supply was disconnected.

- 3) The batch of papers containing above grievances was sent by forum vide letter No. 0316 dated 04/10/2005 to Nodal Officer of licensee. The letter was replied vide No 2731 dated 19/10/05.
- 4) All three members of the forum heard both the parties on 20/10/2005.
- 5) Consumer vide her grievance application dated 3/10/05 stated that her electric meter was removed by licensee on 19/11/04 & electric supply was disconnected though the full amount of the bill of Rs 840/- of the period 17/8/04 to 15/10/04 was paid by her on due date of payment of 16/11/04. Thereafter a bill for the period from 15/10/04 to 15/12/04 of Rs 970/- was sent to her on average consumption of 200 units even though there was no meter at her premises & electric supply was disconnected.
- 6) Shri Wani Deputy Executive Engineer of Badlapur Sub Division of licensee made submission in writing that since consumer had paid entire bill (including arrears) of Rs 840 on 16/11/04, licensee is prepared to reconnect back meter, which was removed on 19/11/04, without charging reconnection fees provided consumer agrees to pay

minimum charges from 19/11/04 till he starts using energy. He further made submission that staff entrusted with the job of disconnecting supply removed meter on 19/11/04 as consumer was in arrears of Rs 840/- (including arrears of Rs 628/- from April 2004 to October 2004) as per bill of the period from 17/8/04 to 15/10/04. Consumer was not present to produce receipt of having made payment on 16/11/04 and hence the meter was removed on 19/11/04.

- 7) Shri Kantak, representative of consumer, also made submission in writing that the consumer would pay minimum charges if meter is installed without charging reconnection fees. He added that at present shop is closed & consumer would inform licensee when he starts using energy & as such supply should be temporarily disconnected.
- 8) Shri Wani agreed to install meter on 21/10/05 at 11 hours in presence of consumer.
- 9) Forum observed that the action of licensee of disconnecting electric supply & removing meter of consumer on 19/11/04 without any intimation to consumer was unwarranted. Licensee, after due date of payment of bill of Rs 840/- i.e. 16/11/04, ought to have followed procedure of intimating consumer of its intention of removing meter & disconnecting electric supply. This would have alerted consumer & he would have produced receipt of payment of Rs 840 to the staff who had come to remove meter on 19/11/04 & action could have been averted. Forum also observed that action of

licensee in sending bill to consumer for the period from 15/10/04 to 15/12/04 of Rs 950/- on the basis of assumed average consumption of 200 units, when the meter was removed on 19/11/04, was unjustified. Licensee ought to have sent this bill on the basis of final meter reading recorded on 19/11/04.

10) After taking stock of entire situation, forum is inclined to pass the following order.

O-R-D-E-R

1. The bill for the period from 15/10/04 to 15/12/04 of Rs 950/- sent to consumer by licensee on the basis of assumed average consumption of 200 units, when the meter was removed on 19/11/04, is, hereby set aside & quashed.
2. Licensee, as agreed, should install meter on 21/10/04 & reconnect supply of consumer without charging reconnection fees. Licensee should send bill to consumer mentioned in above para on the basis of final meter reading recorded on 19/11/04 before next billing cycle. Further bills should be sent to consumer as per procedure depending on the supply requirement of the consumer.
3. Consumer can file appeal against this decision with the Ombudsman at the following address.

Maharastra 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 Indian Electricity Act, 2003, can approach Maharashtra Electricity Regulatory Commission at the following address

Maharashtra Electricity Regulatory Commission,
13th floor, World Trade Centre, Cuffe Parade, Colaba,
Mumbai 400005

for non-compliance, part compliance or delay in compliance of this decision issued under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressed Forum & Ombudsman) Regulation, 2003"

Date: - 24/10/2005 consumer

(M.R.Mehetre)	(Sau.V.V.Kelkar)	(I.Q.Najam)
<i>Member Secretary</i>	<i>Member</i>	<i>Chair person</i>
CGRF Kalyan	CGRF Kalyan	CGRF Kalyan