



**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/328/367 OF 2009-2010 OF SHRI SACHIN MAHADEO GAWADE, KALYAN (WEST) , REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL.**

Shri Sachin Mahadeo Gawade  
Gayatri Krupa CHS Ltd.,  
Flat No. 16, Third Floor,  
Oak Baug, 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 04/03/2010 regarding the Excessive Energy Bill. The details are as follows: -

Name of the consumer : Shri Sachin Mahadeo Gawade

Address: - As above

Consumer No : 020020321793

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/102, dt. 04/03/2010 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/Kalyan(W)/505 dt.19.03.2010.

- 4) The Members of the forum heard both the parties at length on 23/03/2010 @ 16.00 Hrs. in the meeting hall of the Forum's office. Shri Sachin M. Gawade, Consumer, Shri D. B. Nitnavare Nodal Officer, Shri S. M. Kadi, Dy. Ex. Engr., Shri J. S. Lohiya Jr. Engr., Shri A. S. Gosavi U.D.Clerk, Mrs. S. R. Jaywant L.D. Clerk 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 in detail, will be referred to avoid repetition.

5. It is the grievance of consumer that since March 06 he is not getting bills regularly and the bills received were not correctly prepared, and that he did not receive a single bill in the year 2007, consequently he had to approach the office of licensee resulting in sustaining loss and mental agony. According to consumer licensee used to issue bills of incorrect recording of unit consumption. On pointing the same officials of the licensee were asking him to pay the amount as per provisional bill including interest. It is contended that due to incorrect information fed to computer consumer was shown in arrears, therefore many a times his supply was disconnected. Consumer was promised to adjust the amount after correcting the bills preparing B-80, however, till today bill amount was not adjusted nor the interest charged was refunded. It is contended that the officials of the licensee showing apathy harassed the consumer, therefore he lodged this grievance with prayer to direct the licensee to revise the bills vide B-80 and to refund interest already received and he further prayed to direct the licensee not to disconnect the supply.
6. Vide reply licensee averred that as per the CPL, bills pertains to the consumer have been corrected as per the electricity consumption and fed to the system and after adjustment proposal vide B-80 has been forwarded to the higher authority. As per the corrections, licensee would adjust the amount in the ensuing bills of consumer. It is contended amount of Rs.10,028/- towards interest will also be shown in the credit side of consumer. It is further contended that the consumer's supply was disconnected due to incorrect information fed to the computer however after corrections, discontinuation of supply would not arise. In short, according to licensee due to wrong feeding to the computer

inconvenience is caused to the consumer which was unintentional, consequently, prayed to dispose of the grievance application.

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 incorrect electricity bills were issued by the licensee to the consumer?	Yes
b).Whether consumer is entitled to benefit vide B-80 ?	Yes
c). What Order ?	As per Order below

**Reasons**

- 8) According to consumer, he was not getting electricity bills as per consumption and when he approached the office of the licensee, he was told to pay amount as per provisional bill and till today bills have not been adjusted vide B-80. On perusal the bill for the month of Jan.2010 clearly indicates consumer was asked to pay bill pending revision vide B-80. However, this revision has not been done. The fact that the consumer was asked to deposit amount pending revision indicative to show that the bills were not issued as per consumed units. On this background contention of consumer that since 2006 he was not getting correct bills finds substance. The Dy. Executive Engineer, Sub Division Kalyan vide his say dt. 19.03.2010 clearly pointed out that bills have been revised and proposal for revision of bill vide B.80 have been forwarded to the higher authority. It is to be noted that since Mar 2006 consumer is pursuing the officials of the

licensee and even after a period of four years nothing is done, it is not a matter of delay, but inaction and total apathy towards the consumer. According to consumer as seen from applications dated 23.12.08 and 27.01.09, since March 06 licensee recovered interest though he was paying current bills. He was pursuing the officials to correct the bills but officials were telling him to pay provisional bill. This went on for 4 years. It is high time for the officials of the licensee to gain confidence of the consumer, some change is to be made in the system. Consumer must have suffered loss/damage due to inconvenience caused to him for which the licensee will have to be saddled with compensation vide Regulation 8 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulation 2006. The licensee will have to be directed to revise the bills pertaining to the consumer vide B-80 and to feed the correct information to the computer within specific period so as to avoid further complications and disconnection of supply for no fault and further to direct to pay compensation on this count to the consumer. This compensation considering the extenuating circumstances and relevant factors referred to above can be quantified to Rs.1000/-(Rupees one thousand only).

9. Vide reply, licensee pointed out that amount of Rs.10028/- has been recovered from the consumer towards interest. Since bills were issued incorrect and the amount was collected incorrectly, licensee is under obligation to refund/adjust the above said interest amount in the ensuing bills of consumer. It is seen from the record, according to the consumer since March 2006, licensee recovered interest from him. This amount of interest comes to Rs.10028/- is not a small amount. This was so recovered

incorrectly, therefore licensee is liable to pay interest on this amount to the consumer.

10. So far disconnection of supply as apprehended by the consumer it is seen due to incorrect information fed to the computer, consumer was shown in arrears. If correct information is fed to the computer to our view, question of disconnection of supply on the ground of arrears as apprehended by the consumer, would not arise. In view of the position discussed supra, we find substance in the grievance lodged by the consumer and the same will have to be allowed. Points are answered accordingly and hence the order.

### **ORDER**

- 1) .Grievance application is allowed.
- 2) .The licensee is directed to revise the bill up to date pertains to consumer vide B-80 and feed correct information to the computer within 15 days from the date of this order.
- 3) .Licensee to adjust incorrectly recovered amount of interest Rs.10028/- in the next ensuing bills of consumer.
- 4) .Licensee to pay interest on the said amount of Rs.10028/- to the consumer @ RBI rate of interest within 90 days from the date of this order.
- 5) Licensee to pay compensation of Rs.1000/-(Rupees One thousand only) to consumer, within 90 days from the date of this decision.
- 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”.

Date : 30/03/2010

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

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan