



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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IN THE MATTER OF GRIEVANCE NO. K/E/431/486 AND K/EB/001/488
OF 2010-2011 OF SHRI E. N. ANILKUMAR AND SHRI E. N. ARUNKUMAR,
AMBERNATH (WEST) REGISTERED WITH CONSUMER GRIEVANCE
REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE
BILLING AND EMPLOYEE'S MISBEHAVIOUR.

1) Shri E. N. Anilkumar
Gauri Niwas,
Behind Gomez Apartment,
Vandrapada, Ambernath (West)

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer
Ambarnath (West) Sub-Dn.
Ambarnath , Dist. Thane.

(Here-in-after
referred
as licensee)

2) Shri E. N. Arunkumar
Gauri Niwas,
Behind Gomez Apartment,
Vandrapada, Ambernath (West)

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer
Ambernath (West) Sub-Dn.
Ambernath , Dist. Thane.

(Here-in-after
referred
as licensee)

Grievance No. K/EB/001/488

- 1) Consumer Grievance Redressal Forum has been established under “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 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 a single phase L.T. consumer of the licensee with C. D. 0.50 KW. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on 13/10/2010 for Excessive Energy Bills. The details are as follows: -
Name of the complainant :- Shri E. N. Anilkumar and Shri E. N. Arunkumar
Address: - As given in the title
Consumer No : - 1)021520129526
Reason of dispute: Excessive Energy Bills and Misbehaviour of employee.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/636 dated 15/10/2010 and 639, dated 15/10/2010 to Nodal Officer of licensee. The licensee filed reply vide letter No. Nil, dated 23/11/2010.
- 4) The Member Secretary and Member of the forum heard both the parties on 23/11/2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Anil Kumar, Shri Arun Kumar & Shri T. N. Subhash representatives of the consumer & Shri Purohit, Nodal Officer, Shri J. T. Ingale, Dy. Ex. Engr. Ambernath S/Dn., Shri Kale Asstt. Engr., Mrs. U. P. Deshpande, U.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 each party in respect of each grievance shall be referred while deciding each of the grievances to avoid repetition.
- 5) Both these grievance applications are being disposed of by common order since pertain to Consumer No. 021520129526
- 6) The consumer has taken electricity connection from the Distribution Licensee (DL) to the premises situated in Gauri Chawl, Ambernath in the year 1984. According to complainant Shri Anilkumar consumer pays the energy bill regularly, one tube light, one joint lamp, one fridge and two fans are in the house and inspite of this he received a bill dt. 05/04/2010 of huge amount for Rs. 5840/- which he paid under protest on 26/04/2010. However, again he received bill of Rs. 9,620/-. On 07/06/2010 meter No. 7612763886 was inspected showing abnormally fast and it was faulty therefore the concerned Junior Engineer mentioned in the report dt. 07/06/2010 to issue bill as per average consumption of 130 units per

month. It is contended that complainant frequently visited the office of licensee at Ambernath to request the officials concerned that the bill was high as meter was faulty but none paid heed. By various letters complainant brought the above position to the notice of the concerned Junior Engineer Shri Mali, however he also did not respond. Complainant moved the I.G.R. Cell but in vain therefore lodged this grievance to direct the licensee to revise the bills and refund excess collected amount and further to direct the licensee not to disconnect supply illegally.

- 7) In so far Grievance No. 488 complainant Shri Arunkumar contended that licensee fixed pole No. WP-52 and WP-58 for giving connection to the consumer Mrs. Mariyamma. Trees are grown adjacent to the electric line disturbing conductors, therefore the officials of the licensee Shri Mali, Jr. Engineer was requested to cut the branches disturbing mains, however he did not pay heed though repeatedly requested and even made many applications. It is the allegation of complainant that Shri Mali deliberately avoided to discharge his duties as Jr. Engineer, therefore he should be punished and hence filed this grievance as I.G.R. Cell did not take cognizance.
- 8) Licensee filed reply dt. 23/11/2010 contending that the old meter was faulty when inspected on 07/06/2010 and later on it was replaced and that assessment of 130 units per month vide B-80 is proposed. In so far grievance No. 488, by reply dt. 23/11/2010 licensee contended that their Section Officer carried out the work of trimming trees making the conductor safe, therefore grievance on this aspect is devoid of substance.

- 9) Inspection report dt. 07/06/2010 mentions the meter No. 7612763886 was abnormally fast and as such it was defective, therefore assessment need to be made as per the average units 130 per month. Junior Engineer Ambernath by his report dt. 17/06/2010 based on this report proposed B-80. It is therefore apparent that the bill raised and issued dt. 05/04/2010 is not as per the average consumption but based on faulty meter and in this event the assessment has to be carried out as per Clause 15.4.1 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations, 2005.
- 10) As per report dt. 23/11/2010 Dy. Executive Engineer Ambernath pointed out that applying MERC Regulation, average consumption per month comes to 130 units and in this context bill dated 05/04/2010 needs to be revised. Consequently bill dated 05/04/2010 will have to be quashed directing the licensee to raise and issue a fresh bill to the consumer.
- 11) In so far grievance No. 488 complainant inviting our attention to the voluminous records submitted that there is a sag between pole No. 52 and 58 thereby electric supply is disturbed by the branches of the trees, therefore he personally requested Jr. Engineer Shri Mali to get the branches cut to avoid disturbance but deliberately he avoided to do so. On the other hand, learned representative for the licensee inviting our attention to the reply dt. 23/11/2010 contended that trimming trees is carried out making the conductors safe. We have gone through records of this case and also the connecting case No. 486. Licensee is under obligation to give safe mains electric supply to the consumers vide Sub-Clause 42 of Section 2 of the Electricity Act 2003. Since complainant alleges that employee of the licensee Shri Mali acted in contravention to the provisions of the Act

thereby consumers are put to trouble is a matter of grave concern has to be enquired into. In this context licensee will have to be directed to enquire the allegations made in the complaints by the complainant and if find proper to take appropriate action against the erring officials under intimation to this Forum within the stipulated time. In this view of the matter both the grievance applications will have to be allowed.

- 12) Since large number of cases filed by the consumers from Vasai Circle this Forum was busy with those cases in addition to this members of the Forum had to hold sittings at Vasai also, therefore delay is caused in deciding these cases. Hence the order :

O-R-D-E-R

- 1) Both the grievance applications are hereby allowed.
- 2) Bill under dispute dated 05/04/2010 is quashed and the Licensee is directed to raise the bill as per the Clause 15.4.1 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations, 2005 within 30 days and compliance to be reported within 45 days from the date of receipt of this decision.
- 3) Licensee is directed to enquire into the allegations made by the complainant and if find proper to take appropriate action against the erring officials within 60 days under intimation to this Forum and compliance to be reported within 75 days from the date of receipt of this decision.

- 4) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

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

- 5) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission 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” at the following address:-

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

- 6) Copy of this order be kept in Grievance application No. 488

Date : 09/02/2011

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

(R.V. Shivdas)
Member Secretary
CGRF Kalyan