



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/513/609 OF 2011-2012 OF DR. SHRI I.T.N. GOREKAR, KALYAN (WEST) REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL.

Dr. Shri I.T.N. Gorekar
House No. 06/45, Gorekar Building
Bunder Road, Nr. Jumma Masjid,
Kalyan (West) : 421 301

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer
Kalyan (West) Sub-Division - II

(Here-in-after
referred
as licensee)

- 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 L.T. consumer of the licensee. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on 21/06/2011 for Excessive Energy Bill.

The details are as follows :

Name of the consumer :- Dr. Shri I.T.N. Gorekar

Address: - As given in the title

Consumer No : - 020020131579

Reason of dispute : Excessive Energy Bill

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/379, dated 21/06/2011 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/Sub-Dn.II/Kalyan(West)/Billing/1583, dated 02/07/2011.
- 4) Hearing was held on 11/07/2011 @ 16.30 hrs. The Members of the Forum heard both the parties in the meeting hall of the Forum's office. Dr. Shri Gorekar, consumer & Shri S. S. Bakshi, Dy. Ex. Engr., Shri Verghese Jacob, Asstt. Engr., Mrs. S. N. Ratnaparkhi, Asstt. Acctt. 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) The consumer has taken electricity connection from the licensee in the year 1980 to their premises at Bunder Road Kalyan West. It is contended that the officials of the licensee do not record consumption regularly nor issue energy bills on time thereby consumer is put to trouble and inconvenience. It is further the contention of consumer that since recording is not timely done, licensee issue incorrect and exorbitant bills and thereby he is put to monetary loss. Consumer by various applications and frequent visits requested the concerned officials of the licensee to issue bill on time as per actual consumption of electricity since 2008 but none paid heed therefore he moved the I.G.R. Cell in the year 2009 and that by order dated 31/03/2011 I.G.R. Cell directed the licensee to revise the bill given earlier for the amount of Rs. 91,352/- and raise and issue a fresh bill for Rs. 47,610/- during the stipulated period. Dissatisfied with this and for not considering the other points raised in various applications such as not issuing bills on time, exorbitant / wrong bills, compensation for causing mental torture, harassment and financial loss consumer has lodged this grievance with this Forum.
- 6) Licensee by reply dated 02/07/2011 contended that as per the order of I.G.R. Cell consumer deposited the amount of bill Rs. 47,610/- on 27/05/2011.
- 7) We have gone through the voluminous records produced by the consumer and the detail order passed by I.G.R. Cell dated 31/03/2011. From this it is seen consumer has grievance about excessive billing since the year 2008 and this was sorted out by the I.G.R. Cell by order dated 31/03/2011. If consumer has still any grievance about the excessive energy bill of the

year 2008 and 2009, this Forum cannot admit the same being barred by limitation of two years as per Clause 6.6 of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006.

- 8) So far grievance about excessive billing for the period within limitation i.e. from the year 2010 the I.G.R. Cell by detail order dated 31/03/2011 clearly pointed out that earlier two meters bearing No. 9007763701 and 9000740845 were installed in the premises, however due to Computer System consumer number being one i.e. 020020131579 bill of both the meters was consolidated in one bill and there after two bills were to be prepared by the licensee manually, however consumer was insisting original bill of both the meters which was not possible for licensee to furnish two separate bills of the same consumer. Consumer at this juncture pointed out that issuance of wrong bills has no concern with the number of meters however intentionally wrong bills are being issued. Consumer is unable to point out specifically which bill was issued without recording actual consumption. It is seen from the order of I.G.R. Cell dated 31/03/2011 consumer insisted two meters and avoided to pay electricity bill therefore licensee had to disconnect electricity for arrears. Learned representative for the licensee inviting our attention to the CPL and the detail order dated 31/03/2011 referred to above, urged that as per recent policy of the licensee one meter for one premises is being implemented and from this point of view more than one meter installed to one premises are being taken up and accordingly more than one meter installed to the premises of consumer is being removed vide letter issued to the consumer

dated 16/07/2011 by Dy. Executive Engineer Kalyan West Sub-Division No. II. On perusal the order dated 31/03/2011 passed by I.G.R. Cell we do not find that any excess bill amount recovered by the licensee during the period of limitation therefore suffice to say that there is no substance in the allegation of consumer that licensee issuing incorrect, exorbitant and wrong bill recovered unreasonable and excessive amount from him.

- 9) So far grievance about non issuance of bill on time, according to consumer as seen from his various applications and submissions made during the course of hearing, licensee never issued him bill on time, he had to attend the office to collect the bill and to make payment, though insisted he was not given original bill thereby he suffered mental torture and monetary loss naming some officials S/Shri Karande, Bakshi, Patil, Suradkar. It is the right of the consumer to receive bill. As per Clause 14.3 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations 2005 meter reading shall be undertaken by the Authorized Representative at least once in every three months in case of Agricultural consumers and **at least once in every two months in case of all other consumers.** Applicant is the domestic consumer therefore his meter reading is required to be taken at least once in every two months following issuance of energy bill as per actual consumption. Consumer's grievance is that he does not get bill on time, thereby not only he is put to inconvenience but suffer mental agony. CPL placed on record depict the position in this context. When by many letters consumer repeat on not getting bills on time, officials of the licensee are duty bound to pay heed to that, however it appears unfortunately none paid heed to this

grievance of the valuable consumer. It is high time to look to the grievance of the consumer and from this point of view we feel proper to direct the licensee to enquire in this context and take appropriate action against the erring officials and to report.

- 10) So far compensation claimed by the consumer by various applications and as urged before us, without furnishing any documentary proof or evidence to show that such loss if any, is actual loss caused as a direct consequence of alleged act, omission or commission of the Distribution Licensee, consumer is not entitled to indirect, consequential, incidental, punitive or loss of profit or opportunity as stipulated in Regulation 17.15 (e) of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulation 2006. In this view of the matter hardly licensee can be directed to pay any compensation to the consumer. Consequently grievance application will have to be partly allowed and hence the order :

O-R-D-E-R

- 1) Grievance application is partly allowed.
- 2) Licensee is directed to enquire and to take appropriate action against the erring officials in the light of the consumer's applications placed on record and to report within 30 days from the date of receipt of this decision.
- 3) 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”.

- 4) 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”

Date : 09/08/2011

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

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan