



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/198/222 OF 2009-2010
OF SHRI TATYABA HARIBHAU RAJGURU REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE,
KALYAN ABOUT EXCESSIVE ENERGY BILL

Shri Tatyaba Haribhau Rajguru
Bharat Nagar, Kansai Road,
Ulhasnagar : 4

} (Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy.Executive Engineer, Sub/Dn. No IV
Ulhasnagar - 5

} (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 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 L.T. consumer of the licensee connected to their 415-volt network. The Consumer is billed as per residential tariff. The consumer registered the grievances with the forum on dated 04/03/2009 regarding excessive billing. The details are as follows: -

Name of the consumer : Shri Tatyaba Haribhau Rajguru

Address: - As above

Consumer No. :-021514462051

Reason of dispute:- Excessive energy bill

- 3) The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/152 dt. 24/02/2009 to Nodal Officer of licensee. The licensee replied vide its letter No.Dy.EE/Sub Dn.1/billing/583 dt.14/04/09.
- 4). The forum heard both the parties on 01/04/09 @ 16 Hrs. In the meeting hall of the Forum's office. Shri Sunil Tatyaba Rajguru, consumer representative, and Shri Bhurjwale, Jr.Engr. Licensee's representative attended the hearing.
- 5) The Consumer Representative (CR) Shri Sunil T. Rajguru in his complaint dt.25.2.09 submits that he got an electric connection at his residence at Bharat Nagar, Kansai Road, Ulhasnagar in Nov.07. He was paying the electric bills regularly. In Mar, Apr and May 08 he got bill with remark "Locked", on average consumption of 42 units per month, eventhough the house was not locked. He has not paid the bills for June and July 08. On 15.09.08 he got bill for the month of Aug.08 for 1395 units amounting to Rs.8961.14

with previous outstanding of Rs.41039.11 total Rs.50,000/-. He gave written complaint to IGRC on 19.09.08. Upto May 08 he had paid all dues. His monthly consumption is 42 units, how it has come 1395 units for 3 months. Accordingly his meter was declared faulty and replaced on 27.09.08 by meter No.9000201234. On 30.09.08 his supply was disconnected and the officers of licensee took away the newly installed meter No. 7610516289, reason for which said to be non payment of arrears of Rs.50,000/-. He made vigorous follow up and then they understood their mistake and then installed his meter and asked to pay Rs.1500/- towards average consumption and Rs.100/- towards reconnection. He paid the same on 01.10.08. The consumer informed that the bill of Rs.50,000/- was erroneous. In Sept.08 surprisingly he got a bill of 1133 units amounting to Rs.57,520/- for average consumption and including arrears total shown as Rs.63780/-. After follow up they advised him to pay Rs.500/- for the reason that the said bill was based on wrong reading. Again he paid Rs.350/- against electricity charges for Nov.08 on 02.12.08. In the Month of Dec. consumption shown as 904 and billed to Rs.6160.28, including arrears total shown Rs.65500/- . Supply was disconnected without notice. The consumer again made correspondence and on that the officers of licensee advised him to pay Rs.1000/- towards electricity charges and Rs.25/- towards reconnection charges and he paid the same on 17.1.09. Again he got bill for Jan.09 for minus Rs.4527.84 and total Rs.60,080/-. After approaching them, they said to pay Rs.260/- without any verification as provisional bill which he paid on 09.02.09. Since there was no end for such harassment, he

decided to approach the CGRF and registered the case.

- 6). The licensee claims that the faulty old meter No. 220550 was replaced in Jan.08 by meter 201234 with initial reading as 1 and further this meter was read in July 08 as 7538 and the consumer was billed for Rs.40,225/- for 7 months. The consumer applied for rectification on 19.09.08 and on that the Sectional Officer carried out spot inspection on 20.09.08 and submitted the report that the meter reading is correct. The said meter tested in the lab and it was found that the said meter was running abnormally fast. So the meter No.201234 was replaced immediately on 24.09.08 and the old meter was sent to the lab for detail testing and was accordingly tested on 03.11.08 and it was declared that the said meter is faulty as it was showing progressive reading on "no load". On this basis a B-80 was passed for Rs.49049.04/- and on approval, the consumer has been issued a credit bill of Rs.8640/- in Jan.09. In the meantime the consumer paid payments of Rs.155/- on 01.10.08, Rs.850/- on 02.12.08 and Rs.1000/- on 17.01.07 (should be 17.01.09). Then credit B-80 for Rs.9380.86 is prepared for adjustment of interest and adjustment units of 1867 units and sent to IT for issuing bill so that the consumer will get a credit bill of Rs. (-)2223.78 in March 09 bill. Meanwhile the licensee issued a handwritten credit bill of this amount and consumer was satisfied and given in writing on 25/03/09 that his grievance is solved.
- 7). During hearing on 01.04.09 the CR stated that there was disconnection at three times without notices. At two times, reconnection charges were taken. He said he has filed photocopy of one receipt dt.17.01.09, but he has no other receipt. No

reconnection charges were taken at third time. He submits that the tenants got harassed due to frequent disconnections and left the premises. Reconnection at the first and second time was done after 3-4 days. He further submits that the licensee disconnected electric supply on 25/03/09 and reconnected the same on the same day.

- 8). The CR submits that the officers of licensee have harassed him a lot. He has to take leave frequently to follow up his grievance. Once licensee asked him to pay the average bill, but after making payment of average bill, when he came to house, it was noticed that the supply was disconnected.
- 9). The CR further submits that the licensee has given him credit bill of Rs. 8,640/- in respect of the excess amount recovered earlier and therefore, he has given in writing to the licensee on 25/03/09 that his grievance is resolved. However, subsequently he learnt from the information on Net that he can get compensation for the disconnection without notice and therefore he has appeared before this Forum on the date of hearing and requested this Forum to grant compensation to him for the disconnection without notice.
- 10) Upon query the licensee stated that the disconnection had mentioned in the bill itself. When the disconnection was made and the reconnection charge paid by the consumer in Jan.09, at that time there was no grievance, it was done only for payment of arrears. The licensee stated that the consumer himself is not staying there and almost all time the house is kept under lock, it was not possible to communicate him properly and there was some communication gap. On this licensee stated that if the house

found locked the licensee can past the disconnection in the front side wall of house. If done so, this can be treated as “proper notice”.

- 11) The licensee stated that when went the meter reader for taking reading in Dec.08, the house was lock (meter was inside). When got actual reading in Feb.09, the reading was 2 units, so the meter reading agency called.
- 12) Forum noted that the consumer is the existing consumer of licensee. His meter was found defective and it was replaced by licensee in January 2008. However, the new meter was also found defective and licensee replaced the meter again on 24/09/08. Licensee has taken necessary corrective actions such as replacement of meter, lab. test of meter, B – 80 of excessive billing due to faulty meter and issue of credit bill to the consumer in March 09 for an amount of Rs. 2223.78. The consumer is satisfied with the actions taken by the licensee and has given a letter dated 25/03/09 to licensee’s Dy. Ex. Engr. expressing his satisfaction, also withdrawn his complaint.
- 13) About C.Rs. claim for compensation of without notice disconnection – As far as the disconnections are concerned, though CR claimed at the time of hearing that the licensee has disconnected the supply to the consumer at three times, the consumer in his Annexure -1 attached to the application form “A”, mentioned about disconnection at two times i.e. on 30/09/08 and in January 2009 only, and only filed one receipt No. 7774886, dated 17/01/09 for Rs. 25/- towards reconnection charges. Therefore, the Forum accepts his case in respect of such

disconnection at one time only. The consumer claims that he was not given any notice about the disconnections. The licensee in its reply has not mentioned anything about disconnections and not claimed that the consumer was given 15 days notice prior to disconnection as per Section 56 (1) of the Electricity Act 2003. Therefore, it is held that the licensee has disconnected the electric supply to the consumer without required notice and hence illegally at one time. Considering the fact that the consumer has not brought on record as to for which period, the said disconnection remained, this Forum awards him notional compensation of Rs. 250/- and refund of reconnection charges of Rs. 25/-.

- 14)** There has been no. of holidays and consequently less working days during last month. There has also been sudden increase in registration of grievances by the consumers before this forum since last three months, as result of which this forum is forced to hear arguments in two cases on every day and also to decide such a cases at the same rate. Therefore, there has been some delay in deciding this case.
- 15) After hearing both the parties, studying all available documents submitted by licensee as well as consumer and in view of the above findings and discussion as above, the forum unanimously passes the following order

O-R-D-E-R

- 1). The licensee to pay notional compensation of Rs. 250/- and refund the reconnection charges of Rs. 25/- to the consumer, by

giving it's credit in it's ensuing bills within 90 days from the date of decision in this case.

- 2). The compliance should be reported to the forum within 90 days from date of this decision.
- 3). Consumer can file representation against this decision with the Ombudsman at the following address.

*“Maharashtra Electricity Regulatory Commission,
606/608, Keshav Building, Bandra - Kurla Complex,
Mumbai 51”*

Representation can be filed within 60 days from the date of this order.

- 4) Consumer, as per section 142 of the Electricity Act, 2003, can approach Maharashtra Electricity Regulatory Commission 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 : 12/05/2009

(V.V.Kelkar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(M. N. Patale)
Chairperson
CGRF Kalyan