



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/064/0074 OF 06-07 OF
SHRI RAMESH DWRKANATH SHIRWALKAR REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE,
KALYAN ABOUT THE EXCESSIVE ENERGY BILL &
DISCONNECTION OF SUPPLY WITHOUT NOTICE.

Shri Ramesh Dwarkanath Shirwalkar

(Here in after

Opposite Barrack No. 1354, Section 32,

referred to

Ulhasnagar 4

as consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Deputy
Executive Engineer Ulhasnagar
Sub Division 4 Ulhasnagar

(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. Consumer is billed as per residential tariff. The consumer registered his grievance with the forum on dated 08/09/2006. The details are as follows: -
Name of the consumer: Shri Ramesh Dwarkanath Shirwalkar
Address: - As above
Consumer No: - 021514019727
Reason of dispute: - Excess billing in the billing month of April 2006 & disconnection of supply without serving notice of disconnection.
- 3) The batch of papers containing above grievance was sent by forum vide letter No.0677 dated 08/09/2006 to Nodal Officer of licensee. The letter, however, remained unreplied.
- 4) All three members of the forum heard both the parties on 21/09/2006. Shri. Dwarkanath Shirwalkar, Shri Ulhas Shirwalkar, & Smt Partibha Hirlekar representative's of consumer and Shri P.S. Date Assistant Engineer & Shri B.S.Gaikwad Assistant Accountant of licensee attended hearing.

- 5) Consumer in his application had stated that he use to receive normal bill till billing month of March 2006. Shri Ulhas said that consumer received exorbitant bill of Rs 12000/- of the billing month of April 2006. He then followed with licensee on 3/6/06,6/6/06,15/6/06,7/7/06 & 19/7/06 but no action was taken & his electric supply was disconnected by licensee on 20/7/06 for non-payment of energy bill without any notice of disconnection. He was totally helpless & at the mercy of licensee. He had to surrender to licensee's pressure tactics & had to give an assurance in writing to licensee to pay the bills in installments to get his supply reconnected before Ganpati festival. He paid Rs 2000 on 25/8/2006 to get his supply reconnected. Licensee reconnected the supply on 25/8/06.
- 6) Shri P.S.Date agreed that the supply of consumer was disconnected on 20/7/06 without giving notice of disconnection to consumer. Shri B.S. Gaikwad of licensee submitted that meter No. 10104830 installed at consumer premises was faulty from May 1997 as can be seen from consumer personal ledger (CPL). This faulty meter was replaced on 21/03/2005 by meter No. 1554435. The data of this meter was not fed in computer till April 2006. The bills to the consumer were being sent as per old meter consumption showing faulty status from March 2005 to February 2006. The bill of April 2006 of Rs 12000/- was sent to consumer including arrears of 14 months as per consumption recorded on meter No. 1554435 during the period from March 2005 to April 2006.
- 7) Shri Gaikwad further said that this bill was further revised after taking into consideration already charged consumption during the period of 14

months from March 2005 to April 2006. The net bill of August 2006 now stands Rs 5440/-

- 8) He further said that consumer has been given facility to pay this bill in three installments.
- 9) Shri Ulhas Shirwalkar expressed doubt about working of meter No. 1554435.
- 10) Shri Date agreed to get this meter accu tested in presence of consumer.
- 11) The meter No 1554435 was tested by licensee on 27/9/06 at site in presence of consumer & was found to be 37.02 % fast. The said meter was replaced on same day by meter No 02322052. The consumption recorded on meter No 1554435 upto 27/9/06 was 2601 units. The initial reading of said meter on 21/03/06 when erected at consumer's installation was 2. Thus the actual consumption during the period from 21/03/06 to 27/09/06 was 2599 units. Since this meter was 37.02 % fast as was found during test on 27/09/06, the actual units consumed by consumer during above said period was $2599/1.3702 = 1897$ units. The licensee revised the above said bill of Rs 5440/- mentioned in para 7 above to Rs 2470/- by giving credit of Rs 2970/- for $(2599-1897)=702$ units.
- 12) After taking all points into consideration, forum unanimously passed following order.

O-R-D-E-R

1. The action of licensee in preparing bill of 2470/- as mentioned in para 11 above is correct & is upheld.

2. A credit of interest & delayed payment charges, if charged any for non payment of above said arrears, should be given to consumer in his bill on or before billing month of October 06.
3. Action taken against concerned person for disconnecting supply of consumer without serving disconnection notice should be intimated to the forum within 60 days.
4. Action taken against concerned person for lapse of duties for not feeding data in computer of meter replaced on 25/3/05 till April 2006, which resulted in arrears & hardship to consumer to pay lump sum bill, should be intimated to the forum within 60 days.
5. National Consumer Dispute Redressal Commission New Delhi in Revision Petition No 604 of 2003 dated 29/09/03 in a petition of Chandrakant Mahadeo Kadam against Assistant Engineer MSEB Atpadi & others has held that compensation need to be given to consumer for disconnecting electric supply for no reason. In the present case consumer of licensee was paying his bills regularly. For no reason higher amount of bill was presented to him when such higher amount was not due from him and his electric connection was disconnected. Consumer made various visits to the office of the licensee as mentioned in para 5 above but with no result. Licensee accepted the mistake of disconnecting supply of consumer on 20/7/06 without serving notice of disconnection to him and sending a wrong bill of Rs 12000 in the month of April 2006. The consumer's supply was reconnected on 25/8/06. Thus consumer remained disconnected for 36 days. No doubt there was gross deficiency in service & the negligent staff is accountable for the harassment done to a poor consumer. We take serious view of the default committed by the officers of licensee. It is certainly not a good

situation if electric supply remains disconnected for 36 days without any primary reason. We can put ourselves in the position of a consumer & realise as to how he might have suffered. In our view there is clear mis-carriage of justice and we would grant the compensation of Rs 2500/- to consumer. Licensee to pay this compensation to consumer within 90 days.

6. Consumer can file appeal against this decision with the Ombudsman at the following address.

Maharashtra Electricity Regulatory Commission, 606/608,
Keshav Building, Bandra Kurla Complex, Mumbai 51

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

7. Consumer, as per section 142 of Indian Electricity Act 2003, can approach Maharashtra Electricity Regulatory Commission at the address

Maharashtra Electricity Regulatory Commission,
13th floor, World Trade Centre, Cuffe Parade, Colaba, 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 2006".

Date:- 30/10/06

(Sau V.V.Kelkar)
Member
CGRF Kalyan

(I.Q.Najam)
Chair person
CGRF Kalyan

(Shri D.B.Nitnawre)
Member Secretary
CGRF Kalyan