



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/071/0081 OF 06-07 OF**  
**SHRI BABASAHEB BUVAJIRAO WAGHMARE REGISTERED**  
**WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN**  
**ZONE, KALYAN ABOUT WRONG BILLING & DISCONNECTION**  
**OF ELECTRIC SUPPLY.**

Shri Babasaheb B. Waghmare (Here in after  
G 404 Manor Lodha Heaven referred to  
Kalyan Shil, Road, Dombivli (E) Nilje 421204 as consumer)

**Versus**

Maharashtra State Electricity Distribution (Here in after  
Company Limited through its Assistant referred to  
Engineer MIDC Phase II Dombivli (E) 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 grievance with the forum on dated 5/01/2007. The details are as follows: -  
*Name of the consumer: Babasaheb Buvajirao Waghmare*  
*Address: - As above*  
*Consumer No: - 020490020404*  
*Reason of dispute: - Incorrect billing from September 2005 onwards. Incorrect bill of September 2006 amounting to Rs 9121/- with last date of payment of bill as 23/10/06 & disconnection of electric supply without notice or intimation on 14/10/06.*
- 3) The batch of papers containing above grievance was sent by forum vide letter No.0768 dated 5/01/2007 to Nodal Officer of licensee. The letter, however, remained unreplied.
- 4) All three members of the forum heard both the parties on 22/01/2007. Shri Waghmare consumer and Shri P. M. Hundekari, Assistant Engineer, Shri M. A. Atre Assistant Engineer & Shri S. D.

Sakpal upper division clerk representatives of the licensee attended hearing.

5) Shri Waghmare made following submission in his application:-

- (i) He used to receive wrong bills, showing more consumption than his past trend of consumption, from the month of September 2005 onwards.
- (ii) He made several verbal requests to Junior Engineer of the licensee to check the meter but to no result.
- (iii) He then approached Assistant Engineer of licensee on 27/7/06 who took action & meter was tested on 28/7/06.
- (iv) The meter number 9001171654 installed at his premises was tested on 28/7/06 & was found recording abnormal consumption.
- (v) Thereafter on 26/8/06 a new meter number 9002286728 was fixed at his premises. The consumption recorded on this meter during the period from 26/8/06 to 21/9/06 was 70 units. The bill of September 2006 ought to have been sent based on this trend of consumption after adjusting consumption charged on the basis of old meter number 9001171654 from September 2005 i.e. the month from which meter number 9001171654 was recording abnormal consumption but the bill of September 2006 was sent of Rs 9121/- .The last date of payment of bill was 23/10/06 but his supply was disconnected on 14/10/06 without giving any notice or intimation of disconnection.

- 6) Shri Waghmare mentioned that after paying reconnection charges on 4/1/2007 his supply was reconnected on 5/1/2007 by the licensee.
- 7) He requested forum to look into the matter & grant justice.
- 8) Shri P.M. Hundekari, Assistant Engineer, agreed that the supply of consumer was disconnected on 14/10/2006 without notice given to him and his supply was reconnected on 5/1/2007 after payment of reconnection fee on 4<sup>th</sup> Jan.2007.
- 9) Shri Hundekari, submitted copy of confidential letter number 165 dated 19/1/07 addressed to internal cell of the licensee and mentioned that the consumer meter number 9001171654 was tested on 28/7/2006 and was found recording abnormal consumption. This said meter was replaced by meter number 9002286728 on 26<sup>th</sup> August 2006 with initial reading 3. The reading of this meter on 21<sup>st</sup> September 2006 was found to be 73 units and the meter reading on 14/10/06 i.e. at the time of disconnection was found to be 145 units. Shri Hundekari also mentioned that the meter number 9001171654 was recording abnormal consumption from October 2005 as can be seen from the consumer's personal ledger (CPL). He said that the bill from October 2005 to 26/8/2006 i.e. of 11 months would be revised on the basis of trend of consumption recorded on new meter number 9002286728 during the period from 26/8/2006 to 14/10/2006. This trend of consumption works out to be 90 units per month approximately. The consumer's bill would be revised from October 2005 to 26<sup>th</sup> August 2006 on the basis of 90 units per month.

- 10) The consumer agreed to this suggestion and gave in writing to the forum on 22/1/2007.
- 11) 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 approached licensee but with no result. Licensee accepted the mistake of disconnecting supply of consumer on 14/10/06 without serving notice of disconnection to him. The consumer's supply was reconnected on 5/01/07. Thus consumer remained disconnected for 83 days. Needless to say that there was gross deficiency in service & the negligent staff is accountable for the harassment done to this 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 83 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 3500/- to consumer.
- 12) After taking all points into consideration, forum unanimously passed following order.

**O-R-D-E-R**

1. The action of licensee in revising bill of 11 months from October 2005 to 26/8/06 on the basis of 90 units per month appears justified & is upheld.
2. A credit of interest & delayed payment charges, if charged any for non payment of arrears of Rs 9121/-, should be given to consumer in his bill.
3. The bill prepared on the basis of Para 1 & 2 above should be sent to consumer on or before next two billing cycles.
4. Action taken against concerned person for disconnecting supply of consumer without serving disconnection notice should be intimated to the forum within 60 days.
5. We grant compensation of Rs 3500/- to consumer. Licensee to pay this compensation to consumer within 90 days from the date of this order.
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,

13<sup>th</sup> 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: - 1/02/07**

**(Sau V.V.Kelkar)**

**Member**

**CGRF Kalyan**

**Kalyan**

**(I.Q.Najam)**

**Chair person**

**CGRF**

**(D B Nitnaware)**

**Member Secretary**

**CGRF Kalyan**