



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/ 075/ 0085 OF 06 - 07 OF

DR GAUTAM SHANTILAL JATALE REGISTERED WITH CONSUMER
GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT THE REFUND OF EXCESS AMOUNT PAID DUE TO
ERRONIOUS BILLING.

Dr. Gautam S. Jatale

(Here in after

Plot No 491 Sai Section,

referred to

Ambarnath (E) 421501.

as consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Deputy
Executive Engineer Ambarnath

(Here in after
referred to
as licensee)

Sub Division Ambernath

- 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 commercial tariff. The consumer registered his grievance with the forum on dated 19/01/2007. The details are as follows: -
Name of the consumer: Dr Gautam Shantilal Jatale
Address: - As above
Consumer No: - 021520241202
Reason of dispute: - Refund of excess amount of Rs 219560/- paid due to wrong billing.
- 3) The batch of papers containing above grievance was sent by forum vide letter No.0792 dated 19/01/2007 to Nodal Officer of licensee. The letter, however, remained unreplied.
- 4) All three members of the forum heard both the parties on 09/11/2006. Shri Shantilal Jatale representative of consumer and Shri M. S. N. Murthy Nodal Officer, Shri N. A. Bellary Deputy Executive Engineer,

Shri P.S. Date Assistant Engineer & Shri K. S. Mukane LDC of licensee attended hearing.

- 5) Shri Shantilal Jatale during hearing on 9/11/06 said that he intends to rely on submission made by consumer in his application to forum.
- 6) Consumer in his application had stated that: -
 - (i) Consumer in the month of February 2004 received a bill of Rs 219560/- for 25815 units of a period of 13 months for energy used through meter number 596299. The reason of claiming 25815 units of a period of 13 months is not given by licensee.
 - (ii) Average monthly power consumption of consumer during the year 2004-05 & 2005-06 was 855 units & 812 units respectively.
- 7) Consumer alleged in his application that it is a normal practice of licensee's staff to temper with meter & its seals under the pretext of inspection. He quoted an instance that on 14/2/06 @ 15.00 hours Shri D.S. Singh Junior Engineer with his assistant tempered seal of Gautam Hospital in absence of doctors in spite of objecting by nursing staff & they came without any identity & authority letter from licensee for inspection.
- 8) He further alleged in his application that licensee's staff by doing so collects money from consumers by threatening on the grounds of police complaints & false publicity in news papers of having collected revenue for department. He attached with his application newspaper cuttings where news of trap by Anti Corruption Bureau Thane were published.

9) Licensee's record reveals their staff on 6/2/04 inspected consumer's premises & it was found that the seals of meter were tampered & meter was running slow by 83.50 %. The consumer was sent a bill of Rs 219560/- for 25815 units of 13 months period. He paid the said bill on 09/02/04 without any protest.

10) Regulation 6 of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulation, 2006 prescribes the procedure for redressal of grievance. Regulation 6.6 of above said regulation 6 reads as under.

The forum shall not admit any Grievance unless it is filed within two (2) years from the date on which the cause of action has arisen.

The cause of action in this case is on 06/02/2004 i.e. the date when licensee's staff inspected the premises of consumer and found that the seals of meter were tempered and meter was running slow of 83.50%. The consumer has filed grievance with forum on 6/01/07 (received application by forum on 17/01/2007 and registered on 19/01/2007). The forum, therefore, decides not to admit the case for further proceeding and decision as it is filed by consumer after two years from the date on which a cause of action has arisen.

11) Nodal officer submitted letter of Executive Engineer Ulhasnagar Division II stating that action of revising the consumer's bill of Rs 219560/- of 25815 units of 13 months is being considered as agreed in Smt Jatale's case during hearing before Ombudsman on 29th January 2007. (Quoting order passed by Ombudsman in Representation 2 of 2007 dated 6th February)

12) Nodal Officer further clarified that final assessment would be sent to consumer, in due course of time, as per section 126 of Electricity Act, 2003.

13) Consumer can file appeal against above 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 this order.

Date: - 15/02/07

(Sau V.V.Kelkar)

Member

CGRF Kalyan

(I.Q.Najam)

Chair person

CGRF Kalyan

(D.B.Nitnaware)

Member Secretary

CGRF Kalyan