



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/082/0092 OF 06-07
OF SHRI POPAT AMBOJI NANDIRE REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN
ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY &
INCORRECT BILLING

Shri Popat Amboji Nandire

(Here in after

17, Vidya Nagar Co-Op Hsg Society

referred to

Galegaon, Mohane Colony, Kalyan

as consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Deputy
Executive Engineer City Sub Division No 1

(Here in after
referred to
as licensee)

Kalyan (W)

- 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. He registered grievance with the forum on dated 26/02/2006. The details are as follows: -
Name of the consumer: Popat Amboji Nandire
Address on electricity bill:- Panchshil Nagar, Pole E-25, Galegaon
Consumer No: - 020970015494
Reason of dispute: - Disconnection of supply without notice & billing not as per meter readings.
- 3) The batch of papers containing above grievance was sent by forum vide letter No.0853 dated 26/02/2007 to Nodal Officer of licensee. The letter, however, remained unreplied.

- 4) All three members of the forum heard both the parties on 04/04/2007. Shri Popat A Nandire, consumer and his representative Dr. Rahul P. Nandire and Shri M. A. Atre, Assistant Engineer, Shri D. B. Khanande Deputy Executive Engineer and Shri S. N. Deshmukh UDC representatives of the licensee attended hearing.
- 5) Consumer in his application stated that he use to receive exorbitant bills from last 16 months. He then followed with licensee on 26/10/06, 23/11/06, 28/11/06, & 07/02/07 but no action was taken & his electric supply was disconnected by licensee first on 26/8/06 & next time on 05/02/07 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 pay the bills to get his supply reconnected. He paid Rs 22680/- on 26/02/2007 to get his supply reconnected. Licensee reconnected the supply on 27/02/07.
- 6) Shri Khanande denied about disconnection of supply of consumer on 26/08/06 but agreed that the supply of consumer was disconnected on 05/02/07 for non-payment of bills since 5/10/05, after serving notice of disconnection to consumer in the month of September 2006. Shri Khanande vide letter dated 3/4/07 addressed to Superintending Engineer Kalyan 1 & copy endorsed to this forum submitted that meter No. 2064597 installed at consumer premises was faulty from September 2006. This faulty meter was replaced on 03/12/2006 by meter No.

1931. The bill of 1344 units of 5 months in August 2006 was sent to consumer as per meter reading. The bills from September 06 to December 06 were sent to consumer as per previous trend of consumption.

- 7) Shri Nandire could not produce any documentary evidence in support of his statement of disconnection of supply, which was denied by Shri Khanande of licensee.
- 8) Shri Khanande also could not produce any evidence of serving of disconnection notice to consumer prior to disconnecting supply on 05/02/07.
- 9) It is seen from Consumer's Personal Ledger (CPL) that consumer was charged as per meter reading of 17329 units till removal of meter on 3/12/06 (in the billing month of December 2006) while meter testing report carried by licensee on 29/11/06 at consumer's premises shows that the meter reading on that day was 14344 units. This fact was brought to the notice of Shri Khanande by Forum. He then agreed to charge the consumer as per this meter reading of 14344 units. He said that the consumer had already been billed upto 13174 units in November 2005 & now his bills would be revised & he would be billed 1170 units till replacement of meter on 3/12/06. He accordingly made written submission. Shri Nandire also agreed & gave his consent in writing to Forum.
- 10) 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 for no reason higher amount of bill was presented to consumer when such higher amount was not due from him and his electric connection was disconnected. Licensee accepted the mistake of disconnecting supply of consumer on 05/02/07. Licensee could not produce any proof of having served the notice of disconnection to consumer. The consumer's supply was reconnected on 27/02/07 after payment of bill of Rs 22680/- on 26/02/07. Thus consumer remained disconnected for 21 days. No doubt there was gross deficiency in service & the negligent staff is accountable for the harassment done to the 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 21 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 2000/- to consumer.

11) After taking all points into consideration, forum unanimously passed following order.

O-R-D-E-R

1. The action of licensee in revising bills & preparing bill of 1170 units only as mentioned in para 9 above is correct & is upheld.

The credit of interest & delayed payment charges, if charged any for non payment of arrears beyond consumption of meter reading of 13174 units charged in November 2005, should be given to consumer in his bill. This said net credit bill should be sent to consumer latest by billing cycle of June 2007.

2. Action taken against concerned person for disconnecting supply of consumer without serving disconnection notice should be intimated to the forum within 60 days.
3. Licensee to pay the compensation of Rs 2000/- (Rupees Two thousand) only to consumer within 90 days.
4. 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 this order.

5. 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: - 11/04/07

(Sau V. V. Kelkar)

Member

CGRF Kalyan

(I. Q. Najam)

Chair person

CGRF Kalyan

(D. B. Nitnaware)

Member Secretary

CGRF Kalyan