



**Consumer Grievance Redressal Forum, Kalyan Zone**  
**Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301**  
**Ph: – 2210707 & 2328283 Ext: - 122**

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**IN THE MATTER OF GRIEVANCE NO. K/E/244/269 OF 2009-2010 OF**  
**SHRI SHANKAR SITARAM GONDHALI, RESIDENT OF SASAVANE**  
**REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM**  
**KALYAN ZONE, KALYAN ABOUT EXCESSIVE BILLING.**

Shri Shankar Sitaram Gondhali  
R/O and Post : Sasavane  
Tal : Alibag, Dist : Raigad

(Here-in-after  
referred  
as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Assistant Engineer  
Alibag Sub-Dn. No. II

(Here-in-after  
referred  
as licensee)

- 1). Consumer Grievance Redressal Forum has been established under "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 grievance with the Forum on dated 08/05/2009 for excessive billing without reading. The details are as follows: -

Name of the consumer :- Shri Shankar Sitaram Gondhali

Address: - As above

Consumer No : - 023160009721

Reason of dispute: Excessive energy bills without reading.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/437 dated 08/05/2009 to Nodal Officer of licensee. The licensee through Nodal Officer filed reply vide letter No. 718, dt. 20/05/09 addressed to it by the Assistant Engineer, MSEDCL., Alibag S/Dn. No. II.

- 4). The Forum heard both the parties on 25/05/2009 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Shankar S. Gondhali, the Consumer and Shri U. R. Gogte, Asstt. Engr. and I/C Nodel Officer, Shri B. P. Sone, Asstt. .Engineer and Shri G. V. Karnik, Asstt. Acctt., all representatives of the licensee attended hearing. Proceedings of the hearing including submissions made by both the parties are recorded and the same are kept on the record and the said submissions made by the parties shall be referred at the time of deciding grievance made by the consumer, in order to avoid repetition.

- 5). The consumer claims that he is having a house at village – Sasvane. The above referred electric connection is at the said house. His father was ill in Oct. 07 and therefore, he was admitted in the hospital at Dombivali. Nobody was residing in the said house at Sasvane at that time and therefore, the

electricity was not being used. However, inspite of above facts, electric bill for Rs. 14,000 wrongly showing 2480 units as consumption was issued to him. He has brought the said fact to the notice of engineer at Sasvane and there after got the actual meter reading noted through the employee of the said office and informed about it in writing to the office of licensee at Alibag. However, on further enquiry, he came to know that his such letter came to be redirected to the billing office at Panvel. The next bill received by him was also not proper. However, he was not having time to make complaint about it and hence for want of time and proper guidance, he deposited an amount of Rs. 1660. He was expecting correct bills for subsequent months but he was disappointed. There was a minimum use of electricity at the said house and therefore, the monthly average consumption was 20 to 25 units and therefore, they used to receive bills for minimum amounts earlier and his father used to pay the same regularly. However, complications developed in further bills due to the wrong bill for excess consumption for the month of Oct. 07 and the said bill was issued for 2400 units when in infact the meter reading was 1032 as on 17/01/09. He further alleges that the said wrong bill came to be issued due to the wrong figure of current meter reading shown by the meter reader in his report without taking meter reading for preparing the bill for Oct. 07. He personally met the officers of licensee in the office of Alibag and brought the above facts to his notice. The said officer told him that the amount of the concerned bill will be reduced and proper bills shall be issued for further period. However, it did not so happen. In the bill for the month of Oct. 08, arrears of Security Deposit (SD) of Rs. 1300 and an amount of Rs. 1083 as that of interest was shown. How the licensee can charge interest on the amount of the bill which was wrongly issued. Total electric charges of the

year do not exceed Rs. 1600 due to less use of the electricity. He is ready to pay minimum charges since nobody resides in the said house and therefore, there is no consumption of electricity in the said house. His father died on 10.11.07. Thereafter he alongwith his family members went to the said house at Sasvane for some work and found that there was no electric supply in said house. They anyhow passed night without lights. When he complained about the said fact to the office of licensee at Sasvane, he was informed that the electric supply was disconnected as per the orders of higher officers. In view of the above facts, he has sent a letter dt. 17/01/09 to S.E. Pen Circle containing the above facts and request for the review of the bill for Rs. 14,000 for Oct. 07 and reducing the same for the actual consumption of electricity in the said month as per the meter reading at that time informed by him by letter, to get proper bills as per the actual consumption of the later period, for resumption of electric supply and for compensation of Rs.5000/- for the expenses he was required to make for going to the offices of licensee to make complaint and for physical and mental harassment. In response to his above referred letter, the Assistant Engineer, Alibag Sub Division No.2, vide letter dated 24.2.09 informed that concerned bill for Oct.07 was reviewed and accordingly the electric charges in the said bill were reduced and the interest of Rs.1083.18 was cancelled and the S.D. was also reduced to Rs.1100/- from Rs.1300/-, the bill for Jan.09 was issued for Rs.30/- as the consumption was zero and therefore the consumer should pay the amount of Rs.211/- which includes arrears of Rs.181/- and Rs.30/- of the month of Jan.09. The Assistant Engineer, also informed that as per the report of Junior Engineer, Sasvane, the electric supply to the consumer in the said house was not disconnected. He also expressed regrets for the inconvenience caused to the consumer due

to above facts. The licensee did not grant any compensation to the consumer as prayed by him in his above referred letter dated 17.01.09. The consumer was not satisfied with the above referred action taken by the licensee and therefore, he has registered the present grievance before this Forum on 08/05/2009.

- 6) The consumer claims that the Assistant Engineer, Alibag S/Dn. No. II in his letter dt. 24/02/09 claims that the electric supply to this house was not disconnected but the said fact is not correct. If the bill for the month of Oct. 07 was excessive, then what was the proper bill for the said month. The licensee appears not to have made accounts in that line. The amount of charges of Rs. 1660 deposited by him are not properly explained. Nobody resides in the said house at Saswane and therefore, in fact there is no electric consumption, and therefore, even the electric charges of Rs. 1660 deposited by him are excessive, and inspite of the said fact, he is being asked to deposit or pay Rs. 211. This is most improper and he does not agree for the same. He is ready to pay minimum electric charges and in fact he has already deposited the same. If the officer of the licensee admits that he has been suffered harassment, then the licensee should be penalized for the same by asking it to pay the compensation to him for such harassment. He was required to bear expenses and remain off from his work for about six days for going to the offices of licensee at Alibag, Pen and Kalyan for making complaints in respect of his above referred grievances. Therefore, the licensee be directed to pay him compensation of Rs. 5000 for the expenses he has incurred and for the physical and mental harassment caused to him due to the above referred acts of the licensee.

- 7) The licensee through Shri U. R. Gogte A.E., I/c Nodal Officer, Pen Circle filed reply vide letter No. 718, dt. 20/05/09 sent by Assistant Engineer, Alibag S/Dn. No. II to the Nodal Officer. It has claimed that a bill for excessive consumption of 2480 units for the month of Aug. 07 was issued to the consumer. The consumer made a complaint application dt. 16/11/07 about it to the office at Saswane. The concerned bill for the month of Aug. 07 was correct for 95 units from 2400 units after receipt of the reports from the Saswane Circle Office. Due to correction of the said bill, the amount of Rs. 13,994.12 was to be adjusted and therefore, a letter for approval of such adjustment was made to Divisional Office Panvel Rural vide letter No. 739, dt. 26/03/08. The said proposal was approved by the Divisional Office vide letter No. 6944, dt. 29/09/08 and therefore, the said amount was written off from the bill for Oct. 08 through B-80. An explanation for taking wrong reading in Oct. 08 was obtained from Shri U. M. Watkare, L.D.Clerk vide letter No. 2831, dt. 05/12/07. Interest of Rs. 1648.79 was charged on the amount of the bill for Oct. 07 till the approval of the hire officer was received. An amount of Rs. 1083.18 out of the above amount, has been reduced and the said fact is informed vide letter No. 3816, dt. 24/02/09. However, on verification of CPL, it was found that the consumer was charged with interest of Rs. 1648.79. An amount of Rs. 396.37 charged as interest in the month of June 08, out of the above referred interest, is also reduced and waived in Aug. 08. Thus total interest of Rs. 1479.55 has been reduced and the remaining interest of Rs. 169.24 has been reduced from the bill for the month of May 09. The amount of Rs. 1660 deposited by the consumer on 25/03/08, is attributed towards the charges as under :
- 1)Rs. 908.98 – towards the payment of revised bill for Oct. 07.

2)Rs. 255.35 – towards the payment of revised bill for Dec. 07.

3)Rs. 493.29 – towards the payment of revised bill for Feb. 07.

Rs. 1657.62 – Total

On re-examination of the bill for Oct. 07, it was revealed that the amount of Rs. 620 charged as Fuel Charges on the 2480 units at the rate of 25 paise per unit was not reduced and such Fuel charges on the 95 units shown in the revised bill for the said month Aug. 07 was not charged and therefore, credit of Rs. 596.25 about the adjustment of such charges has been given to the consumer in the bill for the month of May 09 and the consumer has been informed about it.

- 8) During the hearing, Shri U. R. Gogte, A.E., I/c Nodal Officer, explained about the revision of bill for the month of Oct. 07 and the bills for subsequent months issued to the consumer as mentioned in the letters dt. 24/02/09 and 19/05/09 sent by the A.E. Alibag S/d. No. II, to the consumer Shri Gondhali and further stated that as on the date of hearing on 25/05/09 i.e. till the bill for May 09, an amount of Rs. 487.27 is to the credit of the consumer and bills for the subsequent months will be accordingly issued. The consumer was satisfied with the action taken by the licensee for revising the concerned bill for Oct. 07 and the bills for subsequent months as above and therefore, grievance of consumer about it stands resolved and therefore, it would be sufficient if the licensee is directed to see that no such mistake should occur in future and the bills for the actual correct consumption should be issued to the consumer in future. The licensee also appears not to have taken any action against the employee who has taken wrong reading and therefore, it would be necessary to direct the licensee to take suitable administrative action against him for such lapse.

- 9) Shri Gondhali, the consumer re-iterated and pressed his prayer for the compensation of Rs. 5000 at the time of hearing on the grounds mentioned in his grievance application. As against this Shri Gogte, I/c Nodal Officer submitted that the licensee has taken suitable action for revising the concerned bills and also expressed it's regret for the same through the letter dt. 24/02/09 sent by Assistant Engineer, Alibag S/Dn. No. II and therefore, it be not directed to pay any compensation to the consumer. It is clear from the CPL that the monthly consumption of the consumer during the period from Feb. 07 to Aug. 07 was from 20 units to 50 units and for the subsequent period from Dec. 07 to Dec. 08 was in between 39 units to 16 units. Moreover, the current reading in Oct. 07 is mentioned as 3285 whereas the current readings for the subsequent month Dec. 07, Feb. 08, April 08 and June 08 was 939, 953, 953 and 978 resp. Thus it is clear that the concerned current reading as 3285 in the bill for Oct. 07 was apparently false and the same appears to have been reported without seeing the meter. Moreover, the officers of licensee took about five months to correct the said mistake and the consumer was required to see the officers of licensee about it repeatedly even after he inform the Alibag office about the actual current reading in Oct. 07 after taking it through the employee of licensee's office at Panvel. Though the licensee denies the disconnection of supply, there is no reason to disbelieve the allegation of consumer that he and his family members were required to stay at the said house without electric supply for a night. The consumer did not file any documentary evidence regarding the exact expenses which he was required to bear for going to the offices of licensee for redressal of his grievance about the bills. However, considering the fact that the consumer resides at Thane (East),



the expenses which one requires to bear for going to Saswane, Parnel and Alibag from Thane and other above facts and to force the licensee to take such lapses of it's employees seriously in future, in our considered opinion, it would be just and proper to direct the licensee to pay compensation of Rs. 500 (Rs. Five Hundred) to the consumer for the loss caused to him by requiring to bear expenses for approaching various offices of licensee for redressal of his grievance due to the wrong bill for excessive heavy charges issued for the month of Oct. 07 to the consumer under sub-clause (c) of Regulation 8.2 of the MERC (CGRF and Electricity Ombudsman) Regulations 2006.

- 10) In view of the findings on the grievances of consumer and discussion as above, the forum unanimously passes the following order.

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

- 1) The grievance application is partly allowed.
- 2) The licensee is directed to take appropriate administrative action against it's concerned employee for taking wrong meter reading for issuing the bill for Oct. 07 as observed in above para No. 8.
- 3) The licensee should pay compensation of Rs. 500 (Five Hundred only) to the consumer under sub-clause (c) of Regulation 8.2 of the MERC (CGRF and Electricity Ombudsman) Regulations 2006 within 90 days by giving it's credit to the consumer in the bills as observed in above para No. 9.
- 4) The Compliance should be reported to the forum within 90 days from the date of decision.

- 5) The Consumer can file representation against this decision with the Ombudsman at the following address.

*“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”*

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

- 6) Consumer, as per section 142 of the Electricity Act, 003, can approach Maharashtra Electricity Regulatory Commission at 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 : 06/07/2009

(Sau V. V. Kelkar)  
Member  
CGRF Kalyan

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan

(M.N.Patale)  
Chairman  
CGRF Kalyan