



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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Date of Grievance : 19/05/2012
Date of Order : 18/06/2012
Period taken : 30 days

IN THE MATTER OF GRIEVANCE NO. K/E/602/711 OF 2012-2013 OF
SHRI SATISH GANPAT SAWANT, KULGAON, BADLAPUR (EAST)
REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM
KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL .

Shri Satish Ganpat Sawant
Room No. 71, Navnath Chawl,
Sambhaji Nagar,
Near Adarsh School,
Kulgaon, Badlapur (East)

} (Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer
Badlapur East Sub-Division

} (Here-in-after
referred
as licensee)

- 1) This 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. The regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conferred 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. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on 19/05/2012 for Excessive Energy Bill.

The details are as follows :

Name of the consumer :- Shri Satish Ganpat Sawant

Address: - As given in the title

Consumer No : - 021540063742

Reason of dispute : Excessive Energy Bill

- 3) The set of papers containing above grievance were sent by Forum vide letter No EE/CGRF/Kalyan/0386 dated 19/05/2012 to Nodal Officer of licensee. The licensee filed reply vide letter No. SE/KC-II/Tech/2657, dated 11/06/2012 through Nodal Officer Kalyan Circle – II, Kalyan.
- 4) Hearing was held on 11/06/2012 @ 15.00 hrs. We the Members of the Forum heard both the parties in the meeting hall of the Forum’s office. Shri Satish Ganpat Sawant consumer & Shri Giradkar Nodal Officer, Shri B. R. Dhomane, Dy. Ex. Engr., Shri B. R. Patil, Asstt. Acctt. representatives of the licensee attended hearing. Minutes of the hearing including the

submissions made by the parties are recorded and the same are kept in the record.

- 5) It is a fact that present complainant has purchased the premises wherein previously Shri Ramdhari Vasudeo Roy was residing was a consumer having Consumer No. 021540063742 – PC – 6. Said Mr. Roy handed over the premises to the present complainant and accordingly the present complainant applied for changing the electric connection in his name in the month of February 2012 and accordingly his name is substituted.
- 6) It is contended by the complainant that he has received a bill for Rs. 16,258/- for the said meter issued on 20/03/2012 on the basis of meter checked on 21/11/2011 where by it was noticed that the meter was slow by 82.88 % and accordingly as the precise date of said slowing down was not known for one year, the charges are calculated and bill is issued as stated above for Rs. 16,258/-.
- 7) Accordingly consumer has approached Licensee's Consumers Facilitation Centre Badlapur (East) Sub-Division on 12/03/2012 & 08/05/2012 however there was no response hence he approached this Forum on 19/05/2012 and to-day this matter is taken up for hearing.
- 8) During the course of hearing as noted above factual details are disclosed and as the meter was found slow by 82.88 % on 21/11/2011, liability is worked out for a year against the consumer for Rs. 14,546/-. Now a precise question was put to the representatives of the Licensee that this particular aspect of working out the dues for one year comes under which provision? As disclosed in the discussion as per Clause 15.4.1 of

Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations, 2005 the calculation can be done only for three months prior to the month in which dispute has arisen.

Accordingly the calculation for one year is found totally in breach of aforesaid Regulation and now we find Licensee is to correct it and make it as per the said Regulation for three months only. The said view is already accepted by the Hon. Electricity Ombudsman Mumbai in Representation No. 34 of 2012 decided on 30th May 2012.

9) Hence we pass the following order :

O-R-D-E-R

- 1) The grievance application is allowed.
- 2) Bill issued by Licensee dated 25/04/2012 to the extent of Rs. 14,546/- is hereby quashed and set aside and said Licensee is directed to issue appropriate bill as observed in Clause 15.4.1 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations, 2005 for three months prior to the date of checking of said meter.
- 3) Payment if any already done by the complainant pertaining to this aspect, be adjusted in next ensuing bill and compliance be reported within 45 days from the date of receipt of this order.
- 4) Representative of Licensee is directed to appropriately correct the bills considering the aforesaid aspect.

- 5) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

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

- 6) Consumer, as per section 142 of the Electricity Act, 003, can approach Hon. Maharashtra Electricity Regulatory Commission 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” at the following address:-

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

Date : 18/06/2012

(Mrs. S.A. Jamdar)
Member
CGRF Kalyan

(R.V. Shivdas)
Member Secretary
CGRF Kalyan

(Sadashiv S. Deshmukh)
Chairperson
CGRF Kalyan