



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in

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**EE/CGRF/Kalyan/**

Date of registration: 26/04/2017

Date of order : 14/09/2017

Total days : 142

**IN THE MATTER OF GRIEVANCE NO. K/E/1187/1409 OF 2017-2018 OF SMT. NIRMALA RAMAKANT MISHRA, HOUSE NO.5627/2/2, BUWAPADA, VILLAGE AMBERNATH, AMBERNATH (W), DIST. THANE, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.**

Smt. Nirmala Ramakant Mishra,  
House No. 5627/2/2,  
Buwapada, village Ambernath,  
Ambernath (W), Dist. Thane.

(Consumer No.021520555941) ... (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution  
Company Limited

Through it's Nodal Officer/EE.

Kalyan Circle-II,

... (Hereinafter referred as Licensee)

Appearance : For Licensee - Mrs. Revati R. Dhadwad-UDC-KC-II.

For Consumer – In person.

[Coram- Shri A.M.Garde-Chairperson, Shri A.P. Deshmukh-Member Secretary  
Mrs.S.A.Jamdar- Member (CPO)].

1] Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-

section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'. Further the regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission. Hereinafter referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.' Hereinafter referred 'SOP' for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014'.

2] This is a billing dispute. The consumer Smt. Nirmala Ramakant Mishra (Consumer No. 021520555941), states that 03 phase Industrial connection had been installed at her premises on 25/11/2007. A deposit of Rs.10,000/- was paid for that purpose. She continued her business till August 2011 and had paid entire consumption charges till then. Consumer's record show that last reading of the meter till August 2011 was 5545.

3] Consumer further states that on 10/9/2014, she gave application to continue the connection which prayer was granted and accordingly, bills were generated on fix charges of Rs.150/- per month up to September 2012 and thereafter Rs.190/- per month till February 2014 where the current and previous reading were shown as 5542.

4] Consumer alleges that from the personal ledger maintained by the Licensee in the month of March 2014, previous reading was shown as 5545 and the current reading was shown as 10692. Total consumption for one month is shown as 5147 units. For the month of April 2014, previous reading shown is 10692 and current reading is 15513 units, hence total consumption in a month was shown 4821 units. For May 2014, previous reading was 15513 units and current reading is 15777, hence total consumption of units is 264. Consumer further states that for June 2014, the meter reading shows current and previous reading as 15777 and fixed charges of Rs. 190/- has been charged. Thereafter from July 2014 to November 2015, no bill is generated, no fix charges are levied.

5] It is further stated by the consumer that her record shows that permanent disconnection has been made in the month of August 2014. Consumer gave application

for reconnection on 12/9/2014. Second letter dated 3/2/2015 requesting to make rectification in the bill raised in the sum of Rs.61,761.02 calculated from July 2014.

6] In reply, Licensee contends that temporary disconnection was made on 24/3/2014 for arrears of bill. Thereafter Asst. Engineer gave a report on 24/6/2014 of lock PD. Because of lock PD report as per CPL reading B-09 was filled. Consumer gave application dated 12/9/2014 to issue PD final bill. Accordingly, P.D. final bill for Rs.64000/- was issued. Consumer disputed the bill vide letter dated 3/2/2015 stating therein that they had no consumption in April and May 2-14. Thereupon letter was written to Reading Agency, seeking information about reading for April and May 2014. A letter dated 20/2/2015 was received from reading agency, informing that the meter reading was not 15777 but 10672 KWH. So also as per report of Asst. Engineer, new Colony Branch and Technician Mangalekar's letter dated 13/1/2016, the connection was temporarily disconnected on 24/3/2014. As the shop premises was closed, permanent disconnection was done from pole and as it was lock PD. Meter was not deposited with the Office. As per letter given by reading agency bill was corrected. In February 2016, reading 5545 to 10692, no use from June 2014 credit B-80 Rs.22221.01 was considered and bill dated 2.2.2016 for Rs.39,540/- was issued as corrected which consumer has paid. Deposit amount of Rs.10,000/- was not seen in the CPL B-80 was filled of receipt No.1547258 dated 3/11/2004.

7] We have heard the consumer. LR was absent on 26/7/2017 and then on 3/8/2017. Reply of Licensee is on record. We have gone through the same. As per Licensee's own say, on account of arrears, temporary disconnection was made on 24/3/2014. Then on 24/6/2014 lock PD report came. There was no payment made in this period and there is no question of reconnection in the meanwhile. Even then in CPL the consumption for April 2014 shown as 4821 units and May 2014 264 units. In May reading is shown as 15777 and 15513. Further according to the Licensee's own showing reading agency gave report that correct reading was not KWH 15777 but KWH 10672. No papers are produced in this regard. All these contentions of Licensee demolish their defence. Entire CPL from April to June 2014 appears to be totally false. If disconnection was done on 24/3/2014, how could there be consumption in the month of April and May 2014. The entire bill therefore requires to be revised, after taking

24/3/2014, as the date of disconnection and refund should be made of the excess and collected with interest.

8] In this case, it seems that there was no cooperation from the Licensee's Officer.

9] In this matter the delay is caused because the Licensee's sides remained absent at the time of hearing.

Hence the order.

### ORDER

1] Grievance application is hereby allowed.

2] The bill in question is set aside.

3] Licensee is directed to issue revised bill after considering 24/3/2014 as the date of disconnection and refund the excess amount collected from the consumer along with interest as per RBI rate from the date of recovery till realization of the amount by the consumer.

4] Compliance be made within 45 days and report be sent within 60 days from the date of receipt of this order.

Date: 14/09/2017.

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

(A.P.Deshmukh)  
Member Secretary  
CGRF, Kalyan.

(A.M.Garde)  
Chairperson  
CGRF, Kalyan.

- a) The consumer if not satisfied, may file representation against this order before the Hon. 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"*.
- b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or
- c) 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"*
- d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.