



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

No. K/DOS/39/1038 of 2014-15\*

Date of Grievance : 25/03/2015

Date of Decision : 30/03/2015

Total days : 06

**ORDER IN THE MATTER OF GRIEVANCE NO. K/DOS/39/1038 OF 2014-15 IN RESPECT OF RESPECT MRS.SATTI LAXMAN HIRWANI, M/S. PUPPY TEXTILES PLASTIC WORKS, NEAR MILITARYH TANK,SHIVAJI NAGAR, O.T. SECTION ROAD, ULHASNAGAR-421 003, DISTRICT THANE REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING DISCONNECTION OF RESIDENTIAL SUPPLY.**

Mrs.Satti Laxman Hirwani,  
M/s.Puppy Textiles Plastic Works,  
Near Military Tank  
Shivaji Nagar,  
O.T.Section Road,  
Ulhasnagar-421 003,  
District-Thane .

(Consumer No.021510370128/6 ) ..... (Hereinafter referred as Consumer)

**Versus**

Maharashtra State Electricity Distribution  
Company Limited through its Nodal Officer,  
Kalyan Circle-II,MSEDCL  
Ulhasnagar- Sub-Divn-III,

..... (Hereinafter referred as Licencee)

Appearance :For Consumer– Shri Laxman Hirwani -Consumer's Representative

For Licencee - Shri Sandip Shendge-Addl.Ex.Engg.  
Shri Rajesh Joshi – Asst. Account Officer.

**(Per Shri Sadashiv S.Deshmukh, Chairperson)**

1] Consumer presented this grievance on 25/3/2015. It is not registered. It was taken up for consideration, whether it can be taken up urgently as per Clause 6.5 of MERC (Consumer Grievance Redressal Forum

and Electricity Ombudsman) Regulation, 2006. Forum thought it fit to have the views of Licencee on this count, as aspect of urgency is canvassed.

2] Accordingly, letter was issued to the Licencee on 26/3/2015. In response to it, Officers of Licencee attended, filed reply, even consumer placed on record additional contentions.

With intent to find out whether this is a fit matter to consider under 6.5 of Regulation. The facts involved in it, are, required to be just noted. Those are as under:-

a] Consumer was having supply from 9.9.1984 bearing consumer No. 021510370128/6.

b] It is contended by consumer that though Officers of Licencee treated it as PD on 22/11/2012, but it was continuing till 17/1/2015.

c] On 17/1/2015 meter is actually taken out thereby supply of consumer disconnected. Accordingly, it is contended that this is a illegal disconnection and she is seeking reconnection, contending that it is an urgent.

3] Officers of Licencee pointed out that said connection is PD right from 22/11/2012 as arrears were not paid. Arrears are worked out on 24/3/2015, applying commercial tariff for Rs.57040/- and then revised it today i.e. on 30/3/2015. It is now made limited to Rs.36,370/- applying residential tariff. Officers of Licencee claimed that inspite of said connection was PD consumer committed theft and unauthorised use of electricity thereby consumer is dealt u/s. 135 and 126 of Electricity Act.

4] Accordingly, consumer's claim is that connection is not PD. Licencee claims that it is PD. Admittedly, consumer, in this regard, entered into correspondence on various counts, more particularly her complaints dated 19/3/. 20/3,24/3 and 25/3/ of 2015, are, relevant to the present dispute. Those are addressed to the all Higher Officers of Licencee and it is expected that cognizance of those required to be taken by IGRC. Those concerned Authorities who received those complaints are / were required to send those complaints to IGRC. Accordingly, this is procedure, required to be followed. t

5] It is seen that meter is taken out on 17/1/2015 and consumer approached this Forum on 25/3/2015. Complaint of this nature addressed to the Officers of Licencee from 19/3/2015. This delay speaks itself. It is a fact that proceedings were initiated against the consumer u/s.135 and 126 of Electricity Act, those are relevant. These factors are clearly showing that there is no urgency as agitated by consumer. Under such circumstances, it is necessary on the part of consumer to exhaust the remedy available i.e. seeking order from IGRC and thereafter she is to approach this Forum.

6] Now let IGRC be informed about this order and consumer be directed to approach IGRC with copies of letters dated 19/3/, 20/3, 24/3 and 25/3/ of 2015. After order of IGRC or after completion of required period of complaining to IGRC, consumer is at liberty to approach this Forum.

7] This matter though dealt unregistered, for the purpose of record, it be now given regular registration number.

Dated: 30/3/2015

**I agree**

**I agree**

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

**(Chandrashekhar U.Patil)**  
**Member Secretary**  
**CGRF, Kalyan**

**(Sadashiv S.Deshmukh)**  
**Chairperson**  
**CGRF, Kalyan**

\*Towards registration remark is there in Para 7.

Note:

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 delay in compliance of this decision issued under “Maharashtra Electricity

c) 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.

<b>S.No</b>	<b>Name</b>	<b>Organisation</b>
7	Shri Rajesh G. S. Deshpande - Chairman	Consumer
8	Mrs. A. J. Dhanwar - Member	CGRF
3	Shri Chandrashekher U. Patil-Exe.Engg.	
4	Shri Khan-Nodal Officer	
5	Shri Narkhede, Addl. Exe. Engg.	MSEDCL
6	Shri Mahajan – Asst. Account Officer	

Reply filed by Licencee. Copy received by CR. They made submissions.

2] It is admitted fact that consumer is having supply from 5/5/2009. Dispute commenced as in August 2014. Consumer received bill for 10100 units of Rs.1,39,909/- and as said bill was disputed, Licencee considered I t and denied it for last 22 months, giving credit of Rs.88,210/- Liability was made limited to Rs. 51,699/-. Said amount of Rs.51,699/- was to be deposited by consumer. It was demanded vide letter dated 17/11/2014. But as he failed to deposit it, supply was disconnected on 16/12/2014. Consumer thereafter

approached Licencee on 17/12/2014 and he submitted notarized affidavit on 18/12/2014, agreed to pay the amount by installment and an amount of Rs.15,500/- and on that day supply was reconnected. It is further contended on behalf of Licencee that consumer had complained to the Licencee on 24/9/2014. It was replied by Officers of Licencee on 17/11/2014. T hereafter consumer approached IGRC on 11/12/2014 as per the acknowledgment seen on it and actual application bears rubber stamp dated 12/12/2014. IGRC decided the matter on 19/1/2015. It was partly allowed and IGRC directed Licencee to test the meter once again in presence of consumer and revised the bill required as per meter testing report. It is further contended that though order is passed by IGRC. Consumer approached this Forum on 2/3/2015 and it is submitted on behalf of Licencee and there is no merit in grievance. While making this position clear, Officers of Licencee submitted that consumer's meter was changed in November 2012, but it was not actually uploaded in the system. Ultimately, it was uploaded in August 2014 and hence in August 2014, units reflected during that month to the tune of 10100 and bills were issued.

Accordingly, it is contended that this particular flaw is about change of the meter not uploaded which covers the period from November 2012 to August 2014 for 22 months.

3] It is placed on record the meter change report by the Officers of Licencee, it is of 30/11/2012. In the said report, it is contended that there is signature of consumer.

4] On behalf of consumer, grievance is about the status of meter shown in the CPL from November 2012 till August 2014 is of faulty meter and this particular aspect was not rectified in time. Further, it is the contention of CR that in fact meter itself was defective. CR contended that so called replacement of meter dated 30/11/2012. Now placed the reply by Licencee before this Forum speaks about the signature of consumer. However, he submitted previous said report produced before IGRC, but it was not showing

the signature of consumer. It is a fact that copy which is shown to us is not bearing any signature either of line staff or signature of consumer. There is signature of only section Engineer. It is the contention of Officers of Licencee that said copy is duplicate one and it was produced and provided before IGRC and when on verification in the Office. Copy bearing signature of consumer and line staff is traced out. It is placed before the Forum. Accordingly, it is contended that there is no question for Officers preparing any document, but it is the actual aspect. CR submitted that this document is subsequently brought up. CR gave vent to his feelings pointing out the recent bill of February 2015 dated 20/2/2015, wherein it is contended that in the said bill current reading is shown as Rs.13,336/- but in the photo shown on it current reading is reflected as 12778 units. CR contended that this is a fraud committed as it is not tallying with the meter's photograph. It is contended that this speaks itself as this point is argued. Officers of Licencee submitted that in fact this is the mistake

committed by staff engaged for pilot project and said bill will be corrected as per actual reading shown in the photograph. They denied that there is any such fraud. It is contended that for the said pilot project due to outsourcing some boys engaged and this mistake is corrupt in. Consumer is confronted with the meter testing report dated 30/11/2012 and he has confirmed with I, bears his signature. CR submitted that affidavit is taken from the consumer that too exerting pressure on him and correction is done, covering it faulty meter. Officers of Licencee submitted that there is no question of exerting any pressure and he had not gone to the Notary, when it was notarized. Accordingly, he submitted that towards scoring from faulty he has not taken role to it. CR contended that when there was disconnection, consumer was required to accept and to give affidavit as claimed. He reiterated that meter was faulty. Officers of Licencee further pointed out that said meter is tested in the light of order of IGRC. Said testing is conducted on 26/2/2015 and it is reported that meter is OK. Error is within permissible limit at all loads.

5] We tried to find out whether testing report is bearing the signature of consumer. However, it is submitted that the report placed on record is not bearing the signature of consumer but signature is there in the register of the Office when meter was tested and he was present.

6] CR submitted that he is not admitting the fact that actually meter was replaced in November 2012. He contended that defective meter is reflected in the CPL and just now change of meter is shown and replacement meter is also not shown correctness of reading. Though, consumer's having signature thereon.

Dated: 16/3/2015.

(Mrs.S.A.Jamdar)

(Chandrashekhar U.Patil)

(Sadashiv S.Deshmukh)



Member  
CGRF, Kalyan

Member Secretary  
CGRF, Kalyan

Chairperson  
CGRF, Kalyan



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No. K/E/832/1010 of 2014-15

Date : 16/12/2014

**MINUTES OF THE HEARING OF THE CASE OF GRIEVANCE NO. K/E/832/1010 OF 2014-15 IN RESPECT OF DATTARAM SAHADEO DHANAWADE, VANDRE, POST ASROLI, TAL.MURUD, DIST. RAIGAD-402 401 HELD IN THE MEETING HALL OF THE FORUM'S OFFICE ON 26/11/2014 AT 1.30 HRS. REGARDING INTEREST ON REFUND AMOUNT AS PER SBI BANK RATE.....**

<b>S.No</b>	<b>Name</b>	<b>Organisation</b>
1	Shri Sadashiv S. Deshmukh-Chairperson	CGRF
2	Shri Chandrashekher U. Patil-Exe.Engg.	
3	Shri Ganesh Landge-Asst. Engineer	MSEDCL
4 5	Shri Dattaram Dhanawade- Mr.Purshottam Gokhale	In person. Consumer's representative

On behalf of Licencee reply is filed, it's copy provided to the consumer.

2] Both sides are heard.

3] It is a fact that consumer was receiving average bills during the period from July 2012 to October 2013. CPL is placed on record, it shows the consumption of 83 units per month during the said period and it is contended that it was issued on the basis of average. Aspect of average was followed as actual change report of meter installed in July 2012 was not entered in the system. It is a fact that in July 2012 old meter was bearing No.54589 and as contended by Licencee it's last reading was 09824 units and new meter installed was bearing No. 41418 and it's initial reading was 0001. According, though this new meter was installed, monthly reading of said meter is not reflected in the CPL till bill of November 2013. In November 2013 reading is recorded in CPL for the said month as 4493 units as a last reading and initial reading is shown as 0001 unit. Accordingly for that month bill was issued and dispute commenced. After the said dispute as consumer could not pay the said bill, his supply was disconnected on 25/2/2014. Said disconnection further resulted into reconnection on 22/4/2014 as consumer without prejudice to his rights agreed to pay dues by installments and at that time new digital meter was installed bearing No. 2878354. It's initial reading was 0001 unit.

In respect of previous meter No.41418 dispute was raised and hence it was sent for testing by the Officers of Licencee on 18/3/2014 with a letter and it is shown as tested on 21/3/2014. In the testing report reading prior to the test is shown as 4396 and reading after test is shown as 4400 units. As against it current reading for the month of February 2014 shown as 4368. PD report of said meter dated 25/2/2014 is not on record. Previous reading of 4368 reflected as per CPL for March 2014 current reading is shown as 4393. The bill dated 13/2/2014 covers the period from 4/2/2014 till to the date of disconnection i.e. 25/2/2014. In it previous reading is shown as 4312 and current reading shown as 4368. Accordingly, though in the CPL on 25/2/2014 as per the above inference, reading was 4368, but in the meter testing report, it is shown as 4396. Hence there is difference of about 38 units or so. Secondly, it is seen that testing report is totally not giving clear picture. Testing is done on the load of 400 wat lamp. But it is totally silent what was the error prior to the adjustment or what was the error after test. Those columns are not filled in and those are kept blank and remark is given “ above said meter seems to be ok”. Accordingly, this report speaks itself about its nature and manner in which it is prepared. Technically and even factually this testing report found not correct. Testing was not done on the load of 100%, 50% or 10%. In respect of this report, CR commented that this is not at all required to be taken in to account while considering the case of consumer. He submitted that during disputed period from July 2012 to November 2013 and till February 2014 bills are paid as per .83 units shown about it dispute is raised. It is contended that prior to July 2012 or after reconnection from 22/4/2014 average of consumer's consumption not exceeded at any point of time more than 70.5 units per month. At this juncture, we have noted the previous consumption of 12 months from June 2011 to May 2012 and said total consumption is of 907 units and divided by 12 months, average comes to 75.5 units per month. CR submitted that reading

after reconnection i.e. from 22/4/2014 is not disputed, it also speaks the trend which is of 64 units per month. He contended that if there would have been any consumption at higher side after reconnection, using the new meter it could have supported the inference of Licencee that consumer has consumed more units. Subsequently, consumption reflected in the CPL from May 2014 it was reconnected on 22/4/2014 and hence from May 2014, bills are issued, consumption for May 2014 is of 100 units. Towards June 2014 it is of 314 units, July 2014 it is for 56 units, August 60 units, September 65 units and October 59 units. He contended that if this subsequent consumption are trend is considered then consumption shown for the dispute period from July 2012 to November 2013 at the rate of 275 units is not correct and he submitted that no testing at all is required in this matter as facts are clear. Bill issued for May 2014 covers the period from 4/4/2014. In fact in CPL, previous reading is shown as 1 subsequent reading is shown as 1 and bill is issued for 100 units. In CPL there is remark of normal functioning of meter, but in the bill there is remark of RNA (reading not available) Hence these two are not tallying with each other. In this light now matter needs to be decided. The matter is reserved for order.

**Dated: 16/12/2014.**

**(Chandrashekhar U.Patil)**  
**Member Secretary**  
**CGRF, Kalyan**

**(Sadashiv S.Deshmukh)**  
**Chairperson**  
**CGRF, Kalyan**



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No. K/E/832/1010 of 2014-15

Date : 26/11/2014

**MINUTES OF THE HEARING OF THE CASE OF GRIEVANCE NO. K/E/832/1010 OF 2014-15 IN RESPECT OF DATTARAM SAHADEO DHANAWADE, VANDRE, POST ASROLI, TAL.MURUD, DIST. RAIGAD-402 401 HELD IN THE MEETING HALL OF THE FORUM'S OFFICE ON 26/11/2014 AT 1.30 HRS. REGARDING INTEREST ON REFUND AMOUNT AS PER SBI BANK RATE.....**

<b>S.No</b>	<b>Name</b>	<b>Organisation</b>
1	Shri Sadashiv S. Deshmukh	CGRF
2	Chandrashekher U. Patil	
3 4	Shri Dattaram Dhanawade- Mr.Purshottam Gokhale	In person. Consumer's representative

Consumer Mr. Dattaram Dhanwade, his representative Mr. Purshottam Gokhale present. None present for Licencee.

2] Matter taken up. It is informed to our member secretary that Nodal Officer who was working is transferred and hence there is difficulty with the Officers of Licencee to attend, time is sought.

3] With the help of consumer, consumer's representative and material on record, following factual aspects are disclosed:

a] Consumer is having residential supply LT-I one phase under consumer No. 048244000404 from 18/4/1992.. There is no dispute for period prior to July 2012.

c] Dispute is pertaining to the period from July 2012 to October 2013 and meter in the consumer's was changed in July 2012 only. For these 16 months i.e. from July 2012 to October 2013 and old meter was working, but bills were issued showing 83 units per month and it was not as per the actual reading as reading itself was not taken. Consumer paid bills issued for 83 units per month regularly.

d] Consumer received a bill in the month of November 2013 for Rs.24,294/- of 3995 units, it was of huge amount and for heavy consumption shown. Towards it consumer disputed bill, deposited Rs.2500/- on 2/12/2013 and Rs.3000/- on 31/12/2013. Thereafter consumer received bills covering the period from October to December 2013, showing previous reading 3995 units and current reading 4924, units consumed 293. For January 2014 bill received, showing previous consumption 4229 current reading 4372, consumed units 88 and for February 2014 previous reading is shown 4312, current reading is shown 4368 units and consumed as 56 units. Accordingly average of 5 months is worked out to 83 units.

e] It is contended that consumer addressed letters to the Licencee from time to time. When there was insistence for paying amount and amount was not paid, supply of consumer is disconnected on 25/2/2014.

4] Consumer has written letter dated 10/3/2014, making grievance about disconnection in spite of dispute. He has approached Janjaguruti Grah Manch Raigad and they had addressed letter to Asst. Engineer on 13/3/2014. Thereafter consumer was asked to pay the amount, hence he gave letter on 21/4/2014 undertaking to pay the amount @ Rs.2000/- per month that too without prejudice to his rights. He addressed one more letter on 28/10/2014, seeking bills as per reading shown in the meter. It is contended that none of these letters pertaining to the grievance of consumer is heard and decided.

5] Accordingly, consumer approached this Forum with a grievance on 11/11/2014. He is seeking relief about the failure on the part of the Licencee to

record reading regularly per month, issuing bills of extra units, though average of less units.

Let reply of Licencee is to be received and on receiving it further aspect will be discussed and dealt with.

**Dated: 26/11/2014.**

**(Chandrashekhar U.Patil)**  
**Member Secretary**  
**CGRF, Kalyan**

**(Sadashiv S.Deshmukh)**  
**Chairperson**  
**CGRF, Kalyan**



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No. K/E/832/1010 of 2014-15

Date :02/03/2015

**MININUTES OF THE DISCUSSION IN THE LIGHT OF LETTER OF CONSUMER DATED 28/2/2015 TOWARDS NON COMPLIANCE OF THE ORDER OF THE FORUM IN GRIEVANCE NO. K/E/832/1010 OF 2014-15 IN RESPECT OF DATTARAM SAHADEO DHANAWADE, VANDRE, POST ASROLI, TAL.MURUD, DIST. RAIGAD-402 401.**

S.No	Name	Organisation
1	Shri Sadashiv S. Deshmukh-Chairperson	CGRF
2	Chandrashekher U. Patil-Exe.Engineer	
3	Mrs. S.A.Jamdar - Member	

Matter discussed. Consumer is dissatisfied towards compliance of the order of the Forum. Recovered amount not refunded by cheque as directed by Forum , but it is being adjusted in the ensuing bills. Compensation amount is yet to be paid. Considering it, as an application towards execution of order issue notice to both sides for hearing on 16/3/2015 at 12:15 hours.



Dated: 02/3/2015.

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

(Chandrashekhar U.Patil)  
Member Secretary  
CGRF,Kalyan

(Sadashiv S.Deshmukh)  
Chairperson  
CGRF, Kalyan