



Consumer Grievance Redressal Forum, Kalyan Zone

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No. **K/E/1041/1253 of 2016-17**

Date of Grievance : 01/06/2016

Date of order : 07/04/2017

Total days : 312

IN THE MATTER CASE OF GRIEVANCE NO. K/E/1041/1253/2016-17 IN RESPECT OF SHRI DATTA LAXMAN AAGWANE , BARRACK NO. 1154, ROOM NO.4, SHANTINAGAR, ULHASNAGAR-421 003, DIST THANE, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING L.T.BILING DISPUTE.

Shri Datta Laxman Aagwane,
Barrack No.1154, room No.4,
Shantinagar,
Ulhasnagar -421 003,
Dist. Thane.

(Consumer No. 021510755135) (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited
through its Nodal Officer,
MSEDCL, Kalyan Circle-II, (Hereinafter referred as Licensee)

Appearance : - For Licensee- Shri Choure –AEE Ulhas/III S/dn.

Shri R.A.Joshi- Asst. Accountant.

For Consumer-Shri Rajput.

[Coram- Shri A.M.Garde-Chirperson, Shri L.N.Bade-Member Secretary
and Mrs.S.A.Jamdar- Member (CPO)].

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] The case in brief is that, the consumer is having residential connection bearing consumer No. 021510755135. He has been paying the bills regularly as per photo reading with average consumption of 100 to 120 units. But all of a sudden there was huge consumption of 7542 units was shown in the bill for the month of December 2015. The progressive reading was shown as 3401 units and 10,943. A bill for Rs. 1,20,032.24 Ps was shown. Consumer paid the bill under threat of disconnection.

3] It is the contention that meter fixed is of Flash company which is notorious for jumping. The bill is incorrect.

4] The contention of Licensee appears to be that the meter is found OK on testing. It was found in this case that the meter reader was not taking the reading properly. Photos of the meter are also not clearly seen. The said discrepancy was brought to the notice of Ulhasnagar division-I recommending strong action against the concerned meter reader. The meter is OK. There is accumulated reading because there was no proper meter reading.

5] We have heard both sides. The defence is that the reading in the month of December 2015 shows cumulative consumption because earlier readings were not properly recorded by the meter reader. We have seen the copies of the photograph. There appears some overwriting in the readings. That can not appear in the photos of meter. There is some substance in the contention of the Licensee but their own CPL shows normal meter all through and progressive reading is shown. Thus, even if there might be some truth in the contention of the Licensee in view of their own important document i.e. CPL, the reading for December 2015 cannot be taken a cumulative reading. Licensee can take appropriate action against the concerned meter reader for the revenue loss.

6] Now coming to the present consumer, the bill for the month of December 2016 has to be revised. We have seen the CPL from July 2013 . Initially the meter was inaccessible, then also later-on the status shown is locked or faulty. But from June 2013 it is shown as normal and even progressive readings are shown. The average consumption has to be taken as 120 units. Licensee has to

revise the bill accordingly for the month of December 2015. If there is any revenue loss it is due to the negligence on the part of the meter reader against whom appropriate action may be taken. In order to prevent future revenue loss it is advisable that Licensee may change the meter because of general complaint about flash meters, if not already changed.

This matter could not be decided within time as hearing was going on each and every date and parties wanted to produce some documents and therefore, delay is caused.

Hence the order.

ORDER

- 1] Grievance application of consumer is allowed.
- 2] Licensee to revise the bill of the consumer for the month of December 2015 and refund / adjust the amount paid in excess if any.
- 3] Licensee to pay Rs.1000/- to the consumer towards mental agony.
- 4] Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 07/04/2017.

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

(L.N.Bade)
Member Secretary
CGRF, Kalyan.

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

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 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”*
- c) 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.