



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
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**EE/CGRF/Kalyan/**

Date of registration: 21/06/2017

Date of order : 07/07/2017

Total days : 17

**IN THE MATTER OF GRIEVANCE NO. K/E/1232/1455 OF 2017-2018 OF SHRI JAIRAM DHAMEJA, BARRACK NO. 530, ULHASNAGAR -421 002, DIST. THANE, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.**

Shri Jairam Dhameja,  
Barrack No. 530,  
Ulhasnagar-421 002,  
Dist. Thane  
(Consumer No.021510829414)

... (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution  
Company Limited  
Through it's Nodal Officer.  
Kalyan Circle-II,

... (Hereinafter referred as Licensee)

Appearance : For Consumer – Shri Rajput.

For Licensee - Shri M.S.Gawali-Addl.EE Ulhas-S/dn-II.

[Coram- Shri A.M.Garde-Chairperson, Shri A.P. Deshmukh-Member Secretary  
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 grievance in short is that the consumer was wrongly classified as commercial. It is the contention that the consumer is doing a small business in his house with consumption below 300 units per month. It is contended further that in view of the commercial circular No.175 dated 5/9/12 and commercial Circular No.177 dated 25/9/17. Licensee was supposed to apply for residential tariff . As such excess amount of bill recovered under Commercial Tariff has to be refunded.

3] We have heard both sides. We have gone through the circular Nos. 175 and 177 respectively. The grievance of the consumer is required to be totally accepted. In fact the IGRC has granted relief, but there is no reason assigned as to why interest was not awarded. Further as was submitted, the amount refunded is quite huge as such mere adjustment of the refund amount in further billing would cause prejudice to the consumer. He is poor person and huge amount will remain with the Licensee for no reason. Hence the relief has been granted.

Hence the order.

**ORDER**

- 1] Grievance application of the consumer is hereby allowed.
- 2] The Licensee is directed to refund the excess amount as ordered by IGRC along with interest at RBI rate.
- 3] The Licensee is also directed to pay the entire amount to the consumer by account payee cheque within one month from the date of this order.
- 4] Compliance be made within 45 days and report be sent within 60 days from the date of receipt of this order.

Date: 07.07.2017.

(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.