



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/DOS/144/1960 OF 2019-20

Date of registration : 10/10/2019

Date of order : 19/11/2019

Total days : 40

IN THE MATTER OF GRIEVANCE NO.K/DOS/144/1960 OF 2019-20 OF THE SMT.MANISHA PRAMOD KHARE, AT POST SASANE, TAL. MURBAD, DIST. THANE, PIN CODE – 421 401 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DIFFERENTIAL DISCONNECTION OF SUPPLY.

Smt.Manisha Pramod Khare,
At Post Sasane, Tal.Murbad,
Dist. Thane, Pin Code – 421 401
(Consumer No.018120000469, LT - Res.)
V/s.

... (Hereinafter referred as Consumer)

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

... (Hereinafter referred as Licensee)

Appearance : For Licensee - 1) Shri.S.D.Suradkar, Dy.EE, Murbad S/dn.
2) Shri.R.S.Jamghare, AA, Murbad S/dn.

For Consumer - Shri.Pritesh P.Khare (C.R.)

[Coram- Shri.A.P.Bhavthankar -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. [Electricity Supply Code and other conditions of supply Regulations 2005]. 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.

2) Consumer complaint no.1960 of 2019,Smt.Manisha Pramod Khare, At Post Sasane, Tal. Murbad, Dist. Thane, Pin Code – 421 401 V/s Dy. Executive Engineer, Murbad S/dn. Complaint of Disconnection of supply and high bill in month of Jun-2018. Above name consumer filed Grievance application directly before CGRF on 10/10/2019 alleging that, she is using the said supply for his residence having consumer no. 018120000469. The date of connection is 28/10/1987 category 90/LT 1 phase Residential connected load 0.26 KW. Consumer is using the said supply for her Residence purpose. Consumer billed regularly till month of May-19. In month of Jun-19 suddenly the bill of '2976' units amounting to Rs. 46,440/- charged to consumer. Consumer objected the bill vide letter on 25/06/2019 but no action taken by Respondent Utility supply disconnection for 15 days. Consumer demands reconnection, bill revision and compensation for mental harassment. Consumer filed the Grievance Application in Schedule 'A' directly before this forum on 10/10/2019. After filing the said Grievance Application this office issued notice to Respondent Utility on 10/10/2019, giving direction to file reply on or before 11/10/2019.

After service of notice, Respondent Utility appeared for hearing but did not filed reply as there was only one day to file reply. Finally Respondent Utility filed reply 04/11/2019. Respondent Utility submitted that consumer meter tested in lab and found O.K. Meter is already replaced on 17/10/2019. Provisional bill is issued to consumer as per new meter consumption for '120' units/month for period Jun-2019 to Aug-2019.

I have perused document filed by consumer and Respondent utility carefully following point arose for my consideration to which I have recorded by finding to the points the reason given below.

Points :

- i) Whether consumer is entitled for revision of bill?
- ii) Whether consumer is entitled for compensation for harassment?
- iii) What order?

Reasoning :

I have given opportunity to the consumer representative and the grievance was heard on 11/10/2017 and 04/11/2019. From consumer CPL it is observed that consumer was billed normally till month of May-2019 at average of '80' to '90' units/months. Suddenly in month of Jun-2019 consumer received bill of '2976' units which is quite surprising. Looking at the connected load i.e. 2 Fan, 1 TV, 1 Fridge, 1 Washing machine, 4 LED it is quite impossible to consume '2976' in one math. There is no accumulation of units even because consumer billed normally as per reading till may-2019. Meter testing report shows meter is O.K. but also records that '*while observing meter reading slots only four slots are seen as follows. i) 0 kwh ii) 3612 kwh iii) 0 kwh iv) 6926 kwh*'. That means Respondent Utility also doubtful about consumption of meter

which they agreed during the hearing. In this situation I found there is substance in the Grievance raised by consumer which was not at all considered by Respondent Utility. Therefore there is violation of principal of natural justice. I also found the Grievance raised by consumer is correct and the bill needs to be revised for month of Jun-2019 as per consumption of new meter installed to the consumer on 17/10/2019. Bill issued in subsequent months i.e. Jul-2019 and Aug-2019 are also on average basis, needs to be revised also. Consumer connection also disconnected and Respondent Utility kept the consumer in dark for 15 days without solving his complaint hence she is entitle for compensation. Hence I am inclined to allow the grievance and proceed to pass the order.

Hence I am inclined to allow the grievance and proceed to pass order.

Hence the order

ORDER

- 1) The Grievance application no. 1960 is hereby allowed.
- 2) Respondent Utility shall calculate average consumption units as per average consumption of new meter installed to the consumer and revise the bill for month of Jun-2019 to Aug-2018 as per this average only.
- 3) Respondent Utility shall pay compensation of Rs.500/- for disconnection of consumer without solving his complaint. The said amount to be adjusted in next issuing bill.
- 4) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 19/11/2019

Sd/-
(Mrs.S.A.Jamdar)
Member
CGRF, Kalyan

Sd/-
(A.P.Bhavthankar)
Chairperson
CGRF, Kalyan

Sd/-
(A.P.Deshmukh)
Member Secretary
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
- 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.