



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph: – 2210707 & 2328283 Ext: - 122

IN THE MATTER OF GRIEVANCE NO.K/E/0113/0129 OF 07-08
OF SHRI FAZAL AHAMAD ANSARI REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE
KALYAN ABOUT NON REPLACEMENT OF BURNT METER IN
STIPULATED TIME LIMIT AND DISCONNECTION WITHOUT
NOTICE.

Shri Fajal Ahamad Ansari
H. No. 357, Lahe gaon,
Shahapur Taluka.

(Here in after
referred to
as Consumer)

Verses

Maharashtra State Electricity Distribution
Company Limited through its
Assistant Engineer Const.

(Here in after
referred to
as Licensee)

Sub Division, Shahapur.

- 1) Consumer Grievance Redressal Forum has been established under regulation of "Maharashtra Electricity Regulatory Commission

(Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers. The Maharashtra Electricity has made this regulation Regulatory Commission vide powers conformed on it by section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer is a L.T. consumer of the licensee connected to their 415-volt network. The Consumer is billed as per Agricultural tariff. Consumer registered grievance with the Forum on dated 04/04/2008

The details are as follows: -

Name of the consumer: - Shri Fazal Ahamad Ansai

Address: - As above

Consumer No: - 1 Ph – 220640376449, 3 Ph - 22016760201

Reason of dispute:- Non replacement of burnt meter in stipulated time limit and disconnection without notice .

- 3) The batch of papers containing above grievance was sent by Forum vide letter No.074 dated 04/04/2008 to Nodal Officer of

licensee. The letter was replied by Nodal Officer vide letter No. A/E/SHPR/GAD/B/793 dated 09/04/2008.

- 4) The Member Secretary & Member of the Forum heard both the parties on 21/04/2008 @ 15 Hrs. in the meeting hall of the Forum's office. Shri Shakil S. Ansari Consumer's Representative and Shri G. N. Bhagat, Incharge Nodal Officer, Shri V. Y. Kamble Assistant Engineer & Shri J. P. Bugude Deputy Executive Engineer, Shri M. D. Mariguddi Assistant Engineer & Shri B. S. Mithe, Assistant Accountant representatives of the licensee attended hearing.
- 5) Consumer's Representative repeated his grievance. C.R. said that he had not been received the energy bills from the date of connection till the meter burnt date i.e. 15/08/2004. Further he stated that the consumer approached to S/Dn No. of times for getting the bills but no response from the Licensee.
- 6). The licensee stated that they were sending the energy bills regularly.
- 7). Both parties could not prove their statements regarding issue / receipt of the energy bills.
- 8). C.R. stated that meter no. 34029 burnt on 15.08.04, Consumer paid the burnt meter charges Rs.2250/- vide receipt No.294994 on. 19.08.2004. Since Consumer was approaching the Sub Division for replacement of meter. In spite of follow up with Sub Division, consumer did not get any response. Licensee replaced the burnt meter on 21.03.2008, after a lapse of 4 years.

- 9). Regarding delay of replacement of burnt meter Licensee replied that the meter could not be replaced due to “non availability of meter. The reason of “Non availability of meter” for a long period of 4 years seems to be not correct.
- 10) If the meter is not available with the licensee, the licensee can ask to consumer to bring their own meter. Then the licensee can test in their own lab and install the same. The licensee failed to do so.
- 11). The level of compensation payable to the consumer for failure to maintain standards of performance as per Appendix ‘A’ Sr.No.4(i) read as under:

Supply activity/event	Standard	Compensation
4. Burnt meter		
(i) Restoration of supply in case of burnt meter	Forty Eight hours from date of receipt of complaint (in rural areas)	Rs.100/- per week or part thereof of delay.

- 12). Licensee should required to replace the burnt meter within stipulated time limit but Licensee failed to replace meter. The Maharashtra Electricity Regulatory Commission (MERC) Standard Of Performance (SOP) came in to force w.e.f. 20.01.2005. As per 7.1 rule licensee was supposed to replace the burnt meter within 48 hours. Licensee failed to follow this rule also. Thus the Licensee violated the clause of SOP 7.1.

Therefore the licensee should pay penalty against violation of S.O.P. 7.1 as per table given below.

a). Meter burnt on dated	15.08.2004
b). Payment made for burnt meter on dt.	19.08.2004
c). Meter replaced on dated	21,03.2008
d). MERC SOP Rule came into force on dt.	20.01.2005
e). After payment, 48 hours expire from the applicability of SOP rule on dated	22.01.2005
f). Compensation starts from dated	22.01.2005
g). Total days from 22.01.2005 to 21.03.08	1152 days

i.e.	upto 22.01.2006	365 days
	upto 22.01.2007	365 days
	upto 22.01.2008	365 days
	upto 22.02.2008	30 days
	upto 21.03.2008	27 days (Feb.6+Mar.21=27)

Thus compensation payable } $1152 / 7 = 164.57$ (i.e. 165)

by licensee to the consumer is } = 165 weeks x Rs.100 per week = Rs. 16,500/- (Rupees Sixteen thousand five hundred)

- 13). The Licensee temporarily disconnected supply of meter no. 229200 on 27.03.08 at 12.00 hours, without serving notice and reconnected on the same day at 16.00 hours.
- 14). As per Electricity Act 2003,Section 56(i), the supply for any arrears should not be disconnected without giving 15 days clear notice in writing to the consumer. In this case the licensee

violated the Section 56(I). Thus, the consumer is entitle for compensation.

- 15). The consumer demanded tariff for farm house as per agricultural tariff. The Licensee stated that such a different tariff for farm house can not be made applicable. All connections to the farm house are billed as per residential tariff.
- 16). After studying all documents submitted by Licensee as well as consumer, forum unanimously passed following order.

O-R-D-E-R

1. The Licensee should give the compensation amount Rs.16,500/- (Rupees Sixteen thousand Five hundred only) to the consumer,

(as per the calculation given in para-12 above.)

2. The licensee should give the compensation Rs.100/- for penalty against violation of section 56 (I) (as per para 13 above.)
3. The both compensation should be given within 90 days from the date of decision.
4. Compliance of this order should be given to the Forum.
5. Consumer can file appeal against this decision with the Ombudsman at the following address.

*“Maharastra Electricity Regulatory Commission, 6/608,
Keshav Building, Bandra Kurla Complex, Mumbai 51”*

Appeal can be filed within 60 days from the date of this order.

6. Consumer, as per section 142 of the Electricity Act, 2003, can approach Maharashtra Electricity Regulatory Commission at the following address:-

*“Maharashtra Electricity Regulatory Commission,
13th floor, World Trade Center, Cuffe Parade,
Colaba, Mumbai 400 005”*

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”.

Date: - 02/05/2008

(Sau V. V. Kelkar)

Member

CGRF Kalyan

Kalyan

(R.V.Shivdas)

Member Secretary

CGRF