



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. **K/E/985/1193/2015-16**

Date of Grievance : 02/03/2016

Date of Order : 15/06/2016

Total days : 105

IN THE MATTER OF GRIEVANCE NO. K/E/985/1193 OF 2015-16 IN RESPECT OF MR. AVINASH M. BHATNAGAR, H.NO. 547, SHANI PALACE, NERAL, TAL.KARJAT, PIN 402 103, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING BILLING DISPUTE.

Mr. Avinash M. Bhatnagar,
H.No. 547, Shani Palace,
Neral, Tal. Karjat,
Pin 402 103.

(Consumer No. **026530157031**)

.... (Hereafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer, MSEDCL,
Pen Circle, Pen

.... (Hereinafter referred as Licensee)

Appearance :For Consumer –Shri B.R.Mantri-Consumer's representative.

For Licensee - Shri Mane – EE-NO, Pen Circle

Shri Chavan- Sr. Manager F & A Pen Circle

Per Shri CUPatil-Executive Engineer-cum-Chairperson)

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’.

The CR of the consumer submitted his grievance in Schedule A dated 2/3/16 stating that they have applied for new connection for construction purpose and MSEDCL has released connection on 27/10/2012 and issued the bills as per temporary tariff (LT VII). However, as per MERC Tariff order, the connection for construction purpose should be billed as per commercial tariff.

He also added that IGRC of Pen Circle has already given the order dated 25/3/15 on the issue with the direction for rectification of consumer’s billing considering the MERC Tariff order dated 17/8/2009 in case No. 116/2008 and also instructed to the concerned Officers of giving the justice to the consumer.

The CR sought the relief from the Forum regarding refund of excess collected amount with interest from the date of deposit till the date of refund with SOP for delay occurred. He also put up the demand for getting the compensation of Rs.5000/- for not implementing the IGRC order.

The grievance application of the consumer in Schedule “A” dated 2/3/16 was registered by allotting No. K/E /985/1193 dated 2/3/16. The hearing

was scheduled on 01/04/16 at 12:30 hours and the same was conveyed to the Executive Engineer –cum-Nodal Officer of KC-II vide letter No. 52 dated 04/03/2016.

However, the CR submitted mail dated 30/3/16 showing his inability for attending the grievance and requested for giving the adjournment in May 2016. Hence, the matter was adjourned to 11/5/16.

During the hearing, the Licensee submitted the details of the remedial action processed by them at their end vide letter no.1037 dated 31/3/16. In the said letter, the AEE of Karjat S/dn clarified that they have given the effect of credit amount of Rs. 28876.47 for the period of November 2012 to March 2015 towards the difference of tariff change. The effect is given in the bill of March 2016 and the consumer is already getting bill as per commercial tariff from March 2015. However, regarding adjustment of interest @ 9 % as demanded by consumer, they have submitted their proposal to their Higher Officials.

The CR was asked about his say. The CR stated that he is aware about the action taken by Licensee and submitted in writing on the above referred letter of AEE stating that, “ we are satisfied for necessary action. Received the excess payment. Hence the case may be withdrawn. ”

In view of above submission made by CR in writing on 11/5/16, the grievance application of the consumer deserves to be disposed off.

This matter could not be decided within time as Licensee was to provide the details sought from time to time, those were provided on 11/05/2016 and their submissions are heard on that day and clarification taken on 11/05/16 **Moreover, the Forum is functioning in absence of regular Chairperson and the Member Secretary is discharging the**

additional work of Chairperson along with the regular work of Member Secretary.

Hence the order.

ORDER

Grievance application of consumer stands disposed off.

Dated: 15/6/2016.

I agree

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

**(Chandrashekhhar U.Patil)
Chairperson-cum- Member Secretary
CGRF,Kalyan.**

**** (In the sitting of Forum, the Chairperson is not available. As per MERC Regulations (2006), Clause 4, the technical member shall be the Chairperson of such sitting in which Chairperson is not available and hence in the present case, the technical member performed the role of Chairperson of the Forum).**

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.

