



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
Ph– 2210707, Fax – 2210707, E-mail : [cgrfkalyan@mahadiscom.in](mailto:cgrfkalyan@mahadiscom.in)

No. K/E/777/935 of 2013-14

Date of Grievance: 25/02/2014

Date of order: 18/03/2014

Period taken : 26 days.

**IN THE MATTER OF GRIEVANCE NO. K/E/777/935 OF 2013-14 IN RESPECT OF SHRI K.D.PATEL USER DR. ASHOK C. PANDEY, FLAT NO. C-304, PATEL COMPLEX, B-CABIN ROAD, AMBERNATH (E), DIST-THANE, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING EXCESSIVE ENERGY BILL.**

Shri K.D.Patel,  
User Dr. Ashok C.Pandey  
Flat No.C-304, Patel Complex  
B-Cabin Road,  
Ambernath (E), 421 501  
Dist. Thane  
(Consumer No.021520282278)

.... (Hereafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Nodal Officer, Kalyan Circle-II ,Kalyan,

.... (Hereinafter referred as Licensee)

Appearance : For Consumer – Shri R.B.Mantri- Consumer representative  
For Licensee - Shri Khan - Nodal Officer  
Shri Agrawal - Dy.Exe.Engineer

(Per Shri Sadashiv S.Deshmukh, Chairperson)

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 referred to 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 and Determination of Compensation) Regulations, 2005.' Hereinafter referred 'SOP' for the sake of convenience.

2] This grievance is brought before us by applicant Mr. Ashok C. Pandey, contending that supply available to flat No.C-304 bearing consumer No.**021520282278** is not properly dealt by Licencee, regular and correct bills are not issued. He has complained to IGRC on 26/11/2013 , to the Officers of Licencee on 20/12/2013, but there is no response, hence he approached this Forum on 25/2/2014.

3] In this matter, grievance application along with accompaniments were sent to the Nodal Officer vide letter No. EE/CGRF/Kalyan 096 dated 25/2/2014. On receiving the said letter Licencee appeared , filed reply dated 13/3/2014, denying the status of applicant as consumer and clarifying that bill for the month of September 2013 is, revised for Rs.678.40 and it's credit is given in the monthly bill of November 2013.

4] In this matter, we heard applicant Dr. Ashok Pandey as well as Nodal Officer Mr.Khan and Dy. Executive Engineer Mr. Agarawal. On the basis of this material following factual aspects are disclosed:-

a] Though consumer number is correctly submitted. The previous bills are enclosed, those are standing in the name of Mr. K.D.Patel. Name of present applicant is not reflected anywhere. Accordingly, in the record of Licencee, there is no any change of status. Applicant Dr. Pandey admitted that he has not applied for entering his name, though he has purchased this premises before 4-5 years. Accordingly, it is clear that applicant Pandey approached this Forum in his own status, but his status is nowhere written and it not yet matured as a consumer. He has not produced any authority letter from K.D.Patel in whose name supply is available. Accordingly, status of applicant is not clear, it is not coming within the definition of consumer as per Section 2(15) of Electricity Act .

b] Secondly, it is clear that applicant made a grievance from October 2013, is not getting correct bills.

5] On behalf of Licencee, it is made clear that bill for the month of September 2013 is refunded and credit is given for Rs.678.40 Ps. in the month of November 2013. Details thereof are explained by the Officer of Licencee and even those are made known to the applicant.

6] In the light of above, we find unless applicant gets status as a consumer, this Forum is not able to give any finding on the disputed aspect. No doubt Officers of Licencee, have clarified it. But we find as applicant has not secured the status of consumer, no any finding can be given. Matter is to be disposed off ,consumer will be at liberty to seek relief on his acquiring the status of consumer or prospective consumer.

Hence the order.

### **ORDER**

1] Grievance of applicant is hereby disposed off as he is not a consumer. He is at liberty to agitate in grievance on his acquiring status as consumer or prospective consumer.

Dated:18/03/2014

I agree

I agree

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

(Chandrashekhar U.Patil)  
Member Secretary  
CGRF,Kalyan

(Sadaashive S.Deshmukh)  
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

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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.