



Consumer Grievance Redressal Forum, Kalyan Zone

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No. **K/E/1046/1258 of 2016-17**

Date of Grievance : 07/06/2016

Date of order : 24/08/2016

Total days : 79

**IN THE MATTER CASE OF GRIEVANCE NO. K/E/1046/1258/2016-17 IN RESPECT OF HAKIM GYANCHAND B.1<sup>ST</sup> FLOOR, NEAR BARRACK NO. 1000, ROOM NO.05, ULHASNAGAR-03, DIST. THANE, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING L.T.BILLING DISPUTE.**

Hakim Gyanchand B.,  
1<sup>st</sup> Floor, Barrack No. 1000,  
Room No.05,  
Ulhasnagar-421 003,  
Dist. Thane.

(Consumer No. 021510222803 (RL) ..... (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited  
through its Nodal Officer,  
MSEDCL, Kalyan Circle-II, Kalyan ..... (Hereinafter referred as Licensee)

Appearance : - For Licensee : Shri Thete, AEE, Ulhas-III S/Dn.  
Shri Joshi AA, Ulhas-III S/Dn.

For Consumer- Shri Rajput- Consumer's Representative.

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] Mr. Hakim Gyanchand R/o. 1<sup>st</sup> Floor, Barrack No. 1000, Room No.05,Ulhasnagar-421003,Dist.Thane, having consumer No.021510222803 (RL) has filed the present grievance application before this Forum, alleging that his meter No. 647701 installed at the above address had jumped in the month of September 2015 and October 2015,showing 542 and 646 units respectively. According to the consumer, these are excessive units. Hence consumer made first application to the Licensee on 5/12/15, requesting them to revise the bill. Again he made an application on 3/2/16.

3] The consumer further contended that though his meter was replaced on 15/2/15 but his disputed bill is not revised till 3/3/16 by the Licensee. On the top of it, without taking cognizance of his follow-up , the Licensee disconnected his supply and forced him to pay an amount of Rs.20,250/- which he has paid under protest.

4] During the course of hearing, consumer submitted that his regular unit consumption is quite low in comparison to the disputed months

consumption i.e. September 2015 and October 2015. The consumer further submitted that he is ready to pay the bills which will be issued by the Licensee as per the consumption of head meter and insisted for revising the disputed bills.

5] According to the consumer, the meter which was installed at the place of consumer was of “Flash – make ” and there are many complaints Regarding “Flash Make Meter ” .

6] Notice / Letter was issued to the Licensee who remained present and submitted that as per the request of consumer , the meter Sr. 647701 was tested on 14/3/16 and same was found OK.

7] Meter was replaced as per the request of the consumer and intimation about it was given to the consumer for the payment of the bill. The Licensee further stated that when the consumer approached to the IGRC, as per the direction of the IGRC, the Licensee tested the consumer’s meter in his presence.

8] Licensee also contended that they have taken all the efforts to resolve the issue/grievance of the consumer and requested to reject the grievance application of the consumer.

9] Not satisfied with the order of IGRC, consumer approached to this Forum with prayer that :

- 1] direction may be given to the Licensee to revise the disputed bill.
- 2] direction may be given to the Licensee to give compensation as per SOP.

10] After going through the record kept before us and after hearing the arguments made by both the parties, we observed that:-

- A] The meter in dispute is of “Flash- Make ”.
- B] There are numerous complaints regarding this type / make of

‘Flash ’meter. This statement of consumer is not denied by the Licensee.

- C] that the units consumer in the month of May 2015 i.e. 486 units and the units consumed in the month of September 2015 and October 2015 i.e. 542 and 646 units respectively, show approximately 51.39% of variation / hike which is something abnormal.
- D] Though Licensee has stated that meter is OK as per testing report, consumer has requested to take the note of S.E’s report of 26/6/16, in which at the foot note he has very clearly remarked that-“ It is suggested that withdrawal the 542,646,449 units in the month of September to November-2015 and give the assessment as per the connected load.”
- E] For the support of his claim, consumer has also produced Mail send by C.E. (MMC) to CE MSEDCL all zones dtd. 9/3/16 regarding poor performance of Rolex and flash make Single Phase meters which -self is explanatory and shows that the “Flash ” make meters are giving poor performance.

11] Taking into the consideration all the above points, we are of the opinion that the claim of the consumer should be allowed.

12] We hope that the Licensee will honour their internal instructions and will not use flash make meter hence forth.

13] This matter could not be decided within time as the then the Executive Engineer has heard the grievance from both sides. In the meantime, the then the Executive Engineer-cum-Member Secretary has been transferred. Moreover, this Forum is functioning in absence of regular Chairperson and regular Member Secretary, the present Member Secretary in charge is discharging the additional work of Chairperson along with the regular work of Member Secretary from 28/6/2016, in addition to his regular portfolio as Executive Engineer Enquiry MSEDCL for Kalyan Region.

Hence the order.

**ORDER**

Grievance application of the consumer is hereby allowed.

The Licensee is directed to revise the bill of the consumer for the month of September to November-2015 with immediate effect.

Compliance be reported within 60 days from the date of receipt of this order.

Date: 24/08/2016.

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

(L.N.Bade)  
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.