



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

Date of Grievance : 15/12/2012
Date of Order : 24/12/2012
Period Taken : 09 days

IN THE MATTER OF GRIEVANCE NO. K/E/673/792 OF 2012-2013 OF
SMT. CHAYA ARJUN YADAV, BADLAPUR (EAST) REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT EXCESSIVE ENERGY BILL.

Smt. Chaya Arjun Yadav,
R – 3 – A/102,
Merothon Nagari,
Shirgaon, Badlapur (East)

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer,
Badlapur East Sub-Division

(Here-in-after
referred
as licensee)

(Per Shri. Sadashiv S. Deshmukh, Chairperson)

- 1) This Consumer Grievance Redressal Forum has been established under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers. The regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conferred 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. The Consumer is billed as per Residential tariff. Consumer registered grievance with the Forum on 15/12/2012, for Excessive Energy Bill.

The details are as follows :

Name of the consumer :- Smt. Chaya Arjun Yadav

Address: - As given in the title

Consumer No : - 021660714836

Reason of dispute : Excessive Energy Bill.

- 3) The set of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/0852 dated 17/12/2012 to Nodal Officer of licensee.
- 4) This matter is taken up for urgent hearing as there is a threat of disconnection. In response to the notice issued on behalf of Licensee Shri G. K. Panpatil In-charge Nodal Officer, V. H. Kasal, Assistant Engineer are present. On behalf of Consumer Smt. Chaya Arjun Yadav alongwith her husband Shri Arjun D. Yadav is present, they are heard. On behalf of

Licensee reply and CPL placed on record alongwith report of meter replacement and reconnection.

During the submissions it is disclosed that consumer is having a connection but meter was changed on 01/10/2012. Previous meter No. 29896 was replaced, new meter is fixed, payments are done as per the bills issued from time to time except the disputed bill issued for October 2012 issued on 30/11/2012 for units 5090. That bill is for Rs. 67,490/-. Towards this dispute already consumer has approached IGRC but as there is a threat of disconnection w.e.from 26/12/2012 hence consumer approached this Forum.

During hearing it is disclosed that though meter is replaced, consumer claims that after said replacement of meter its defect is not made known to consumer, testing of meter is not done in her presence. However, on behalf of Licensee it is insisted that last reading of replaced meter speaks itself and said reading is of 10378. Accordingly period is considered by the Licensee and arrears are worked out from April 2012 for seven months giving legitimate relief for the prior period.

Now we perceived that this aspect is yet to be decided by the IGRC. On behalf of Licensee it is clarified that if consumer intends to have checking of disconnected meter, will be again tested in the presence of consumer, they have no objection for it. We find considering the principal of natural justice till such exercise is completed and when consumer is not made aware of, it is necessary to ensure that consumer is not left to the mercy of Licensee by disputing the amount. As such Licensee is directed

to make consumer known about the reading of said meter, when it was removed and it's correctness during inspection. Accordingly we find at this stage IGRC is to be asked to dispose of the matter as per rules, however Licensee is to ensure that before deciding the matter by IGRC, appropriate inspection is carried out of the old replaced meter in presence of consumer, copy of it's report be provided to the consumer. Accordingly till matter is decided by IGRC and atleast for 15 days after the date of service of order by IGRC, aspect of disconnection is to be stayed. All aforesaid observations at this stage are without any prejudice to the rights of both sides. Accordingly this grievance application is to be allowed.

Hence we pass the order :

ORDER

- 1) Grievance Application No. K/E/673/792 is hereby allowed.
- 2) Licensee is directed to carried out appropriate inspection and testing of the replaced old meter in presence of consumer, provide copy of it's report to the consumer and IGRC to take up the hearing, decide it on it's merit, even considering the grounds which consumer may raise in respect of meter testing report etc.
- 3) Accordingly till matter is decided by IGRC for 15 days after the date of service of order by IGRC, the threatened action of Licensee for disconnection is stayed.

- 4) The Consumer if not satisfied can file representation against this decision with the Hon. Electricity 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”.

- 5) 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 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”

Date : 24/12/2012

I Agree

I Agree

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

(R.V. Shivdas)
Member Secretary
CGRF Kalyan

(Sadashiv S. Deshmukh)
Chairperson
CGRF Kalyan