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Consumer Grievance Redressal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S.Marg,Bhandup (W),
Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/ 68/426 Date: 10.04.2018

Hearing Date: 13.03.2018

CASE NO.68/2018

In the matter of billing

Shri. Prasad C. Dhalwalkar,
Room No.7,Dhalwalkar Chawal,
Khindi Pada, Bhandup-78.
(CONSUMER NO.000050101398)
..... (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution Company Limited
through its Nodal
Officer,
Thane Circle, Thane.
..... (Hereinafter referred as Licensee)

Appearance : For Shri. Sunil M. Gaikwad, Assistant Accountant Pannalal
Licensee Sub Division.
For Consumer – Mr. Prasad Dhawalkar - Consumer

[Coram- Shri A.M. Garde- Chairperson, Shri. R.S.Avhad -Member Secretary
and Sharmila Rande - Member (CPO)].

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 it is referred as 'Regulation'. Further the regulation has been made by MERC i.e. Maharashtra Electricity Regulatory Commission. [Electricity Supply Code and other conditions of supply Regulations 2005] Hereinafter referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity.

2. Consumer herein is one Mr. Prasad Dhawalkar having consumer no 000050101398. Grievance is of excess billing. In particular consumer received an excessive bill of Rs. 64000/- abruptly for the month of Jan. 2017. Consumer narrated the grievance to the Respondent that the Respondent insisted him to pay the bill. Thereafter in Feb. 2017. Respondent without due provision of law disconnected supply to consumer and removed the meter. Consumer sent a legal notice. Consumer was there upon called in Respondent's office and was told that they had never ordered for disconnection at all. The concerned officer ordered the subordinates to reconnect and asked them to inspect the connection.
3. Respondent's officer inspected the meter and told the consumer that it was an inadvertent error in sending the bill, but asked him to pay Rs. 4600/- for the month of Jan. 2017.
4. Consumer further states that after the meter was reinstalled no bills were issued for subsequent months of February, March April and May. Consumer visited the Respondent office personally in that context where upon he received bill in the month of July. 2017 Respondent then sent a notice u/s 56(1) of I.E. Act 2003, which is dated 13.07.2017. Consumer replied to it on 27.07.2017, received by Respondent on 28.07.2017.
5. Consumer prays to revise the excess billing.
6. No reply is filed by D.L. However the contention of D.L. before the IGRC was that the detective meter of the consumer was replaced in Jan. 2017 as it jumped and therefore abnormal bill was received by the consumer. After

replacement of the meter, Revised bill was issued to the consumer. Due to non-payment of revised bill the supply was disconnected in Feb. 2017. There after supply was reconnected on 09.03.2017. it is further submitted that since consumer was PD in system, bills from March 2017 to May 2017 were not issued to the consumer.

7. D.L. further contends that bill issued to consumer in June 2017 as per new meter 3450486 in correct and as per reading.
8. We have heard both sides. No reply is filed by D.L. in spite of long waiting by Forum. It revealed during arguments that there is no dispute that the meter was faulty giving abnormal reading and a bill for Rs. 64000/- was raised. The officer admitted the same and stated that the bill was reduced but there is no basis shown under which the reduced amount was arrived at.
9. From above, it is clear that the case falls under 15.4.1 of Regulations 2005 and D.L. has to apply 15.4.1 and arrive at the bills for the month of Jan. 2017. Average of 12 months from Dec. 2015 to Nov. 2016 be taken for averaging
10. The second question in about disconnection without notice. Here we find total disregard to both the provision of law and human dignity considering the manner in which the consumer is treated. D.L. has disconnected consumer's connection on totally wrong and baseless bill to their knowledge and also without at notice causing harassment. For which D.L. has to pay compensation. Hence the order.

ORER

1. Grievance is allowed.
2. The bill for the month of Jan. 2017 for Rs. 64000/- and also the revised bill in hereby quashed and set aside.

3. D.L. to find out average monthly bill by applying 15.4.1 considering the bill for 12 months from December 2015 to Nov. 2016 and raise bill for Jan. 2017.
4. D.L. to pay compensation of Rs. 1000/- to consume for harassment caused.
5. D.L. to refund reconnection charges of recovered.

The compliance should be report within 30 Days.

The order is issued under the seal of Consumer Grievance Redresses Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

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, Keshav Building,Bandra - Kurla Complex, Bandra (E),Mumbai - 400 051"
- b) b) consumer, as per section 142 of the Electricity Act, 2003, can approach Hon'ble Maharashtra electricity Regulatory Commission for non- compliance, part compliance or
- c) Delay in compliance of this decision issued under" Maharashtra Electricity Regulatory Commission (consumer Redressed Forum and 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.

I Agree/Disagree

**MRS. SHARMILA RANADE,
MEMBER
CGRF, BHANDUP**

**ANANT M. GARDE
CHAIRPERSON
CGRF, BHANDUP**

**RAVINDRA S. AVHAD
MEMBER SECRETARY
CGRF, BHANDUP**