



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. K/E/1297/1533 of 2017-18

Date of registration : 23/02/2018

Date of order : 21/03/2018

Total days : 26

IN THE MATTER OF GRIEVANCE NO. K/E/1297/1533 OF 2017-18 OF SHRI. GANAPAT PANDURANG CHAVAN, TULASI NIVAS, SHIVAJI NAGAR, BEHIND POLICE STATION ROAD, VASIND, PIN CODE - 421 604 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri. Ganapat Pandurang Chavan,
Tulasi Nivas, Shivaji Nagar,
Behind Police Station Road,
Vasind, Pin Code - 421 604.

(Consumer No. 015510353151) ... (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution
Company Limited

Through it's Nodal Officer/Addl.EE.

Kalyan Circle-II, Kalyan ... (Hereinafter referred as Licensee)

Appearance : For Licensee - Absent

For Consumer - Shri. Rajesh Chavan (C.R.).

[Coram- Shri A.M.Garde-Chairperson, Shri A.P. Deshmukh-Member Secretary
Mrs.S.A.Jamdar- 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 Redressed 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 2005] 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.

- 2) Briefly the facts are that there are six Consumer number in the name of Mr.Ganpat Chavan residing at Vasind. Grievance of the Consumer is that he does not receive the electricity bills of these six Consumer No's in time.
- 3) The Consumer submitted that he had made a lot of correspondence and also followed up with the Licensee several times but Licensee did not sort out his problem nor his grievance was attended. It is contended by the Consumer that the official of the Licensee are not behaving properly and do not give response to his quarries.
- 4) One more grievance of the Consumer is that the concerned person is not taking readings of the meters regularly. For this grievance also he has followed up with the Licensee but his grievance remained unattended.
- 5) Consumer therefore approached IGRC. No hearing was held in IGRC. Aggrieved by this Consumer approached CGRF and asked for SOP and compensation.
- 6) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/076 dt.23/02/2018 who did not appeared nor filed reply on date of hearing.
- 7) For Licensee's side it is stated that intimation was not received from the Nodal Officer. Hence no reply has been filed by the Licensee. Finally the reply received on date 17/03/2018. In reply Licensee contended that, they have attended Consumer complaints given reply to Consumer via mobile. Also the action is taken against agency for not taking reading properly. Regarding misbehavior, Licensee denied the allegations. However the reply/submission was submitted by the Licensee after concluding the hearing and when the matter was kept for order. Hence we did not take the submission of Licensee into consideration.
- 8) We have gone through the papers kept on record and have heard the Consumer. We find in number of cases that, such non action from the Licensee's side is very common. In number of cases proper guidance is not given by the Licensee and as a result of which Consumer has to run from pillar to post.

In the present case also Licensee did not heed to the Consumer's grievance. Consumer had to suffer harassment and mental agony. Even no reply has been filed by the Licensee till the date of hearing. Hence we have to rely on the submissions of the Consumer.

Record also shows that no response was given by the Licensee to the Consumer for a period of more than one year, till instructions received by Dy.Manager, Kalyan (W) Division by his letter dtd. 13/10/2017.

9) However we feel that it would be wrong to burden the public funds for the payment of compensation for non-action of the officers of a Government Department compensation should be recovered from the concerned officials for which purpose, the responsibility may be fixed after a due enquiry by the department.

In face of this facts the inference that can be drawn that the Licensee has played a mischief and harassed the Consumer for which Consumer should be compensate.

Hence the order

ORDER

- 1) The Grievance application of the Consumer is partly allowed.
- 2) Licensee is directed to pay Rs.1000/- to the Consumer towards compensation as per clause 8.2 (e) of MERC Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006.
- 3) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 21/03/2018

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

(A.P.Deshmukh)
MemberSecretary
CGRF, Kalyan.

(A.M.Garde)
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

- 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.

