



Consumer Grievance Redressal Forum, Kalyan Zone

Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301

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No. K/DOS/60/1529 of 2017-18

Date of registration : 21/02/2018

Date of order : 21/03/2018

Total days : 29

IN THE MATTER OF GRIEVANCE NO. K/DOS/60/1529 OF 2017-18 OF SHRI. ULHAS VITTHAL SURYAWANSHI, SURYAWANSHI BUNGLOW, 169 VIR SAWARKAR MARG, ULHASNAGAR-4, PIN CODE-421 004 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING DISCONNECTION OF SUPPLY.

Shri. Ulhas Vitthal Suryawanshi,
Suryawanshi Bungalow,
169 Vir Sawarkar Marg,
Ulhasnagar-4, Pin Code-421 004.

(Consumer no : 021510975640)

... (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution
Company Limited,
Through it's Nodal Officer,
Kalyan Circle-II, Kalyan

... (Hereinafter referred as Licensee)

Appearance : For Licensee - Shri.D.B.Kumbhare, AEE, Ulhasnagar –IV S/dn

For Consumer - Shri.Ulhas Suryawanshi (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) Consumer herein is one Shri. Ulhas Vitthal Suryawanshi having Consumer Number 021510975640 L.T. Residential 1 – Phase. Consumer states in the complaint that in the year 2014 a grievance was filed before CGRF and an order came to be passed in favour of the Consumer with a direction to take penal action against the defaulting official. The order of the forum have not been complied with by the MSEDCL. Consumer has complained about the same to IGRC but nothing has been done.

3) Consumer further state that in the meantime Distribution Licensee time to time issued demand notices which are illegal.

4) Consumer also states that as per the order of CGRF reconnection has been done after following due procedure. Which Consumer accepts and shows willingness to pay the bills

5) Consumer further submit that the bill issued on 24 Oct 2017 is not as per meter reading as such Consumer demanded revision of the bill. He also made a complaint no. 7678206 at the call center. In spite of this Consumer's supply was disconnected permanently on 6 Dec 2017 which is totally illegal. Complaint was made to IGRC but there was no response.

6) Consumer therefore prayed that disputed bill be revised. Supply be reconnected and compensation be awarded.

7) Distribution Licensee in reply contends that in spite of complying the CGRF order Consumer has not paid bills from 2013 the bill dt.12/06/2015 was dispatched to Consumer but it is not known whether consumer got the same or not.

8) Distribution Licensee also submit that in spite of notice given Consumer has not paid bill from 2013.

9) Even after change of meter in Oct-2017 Consumer has not paid the bills. Thus Consumer has not paid till from 2013 to 2017. Hence supply has been disconnected.

10) We have heard both sides. As we see there was a grievance filed by the Consumer & CGRF passed order on 17/10/2014 whereby the bill issued for the period from Oct-2013 to March-2014 was quashed. Direction was given to the Distribution Licensee to prepare fresh bill for Jan to March-2014 considering the average consumption for the period from Oct-2012 to Sept-2013 and

consumer will be liable to pay Rs.3,306/- for these three months and entitled to have supply reconnected. As it appears up to this the Distribution Licensee has complied and Consumer admits the said position. Reconnection was accordingly done and since then Consumer has been enjoying the supply. Distribution Licensee says that though Consumer has been consuming energy since then he has not been paying charges at all. This is something amazing. Consumer was all the while referring to clause 8 of regulations. For that we have gone through the order and find an order for grant of compensation under clause 8.2 (C). He also make a grievance that, after the reconnection meter testing report was not given to him hence he has doubt about working of the meter. He further submits that it is incumbent upon the Distribution Licensee while complying with the orders of CGRF to maintain documents in their file about such complaine made and provide a copy there of to the Consumer on demand. Distribution Licensee has not done so. There are several other faults pointed out like behavior of the officers, absence of name pates on the chest etc.

We have heard the Consumer at length on several such ideal situations expected of a Distribution Licensee and it officers/employees. The germane question is whether Consumer can refuse to pay the bill after consuming energy because of such violations unless it is specifically shown that the bill raised are fake or incorrect. Mere suspicion about the working of the meter merely because some copies of records were not given cannot be a ground to refuse payments of bills.

Distribution Licensee has got the meter tested and found OK. Consumer says that it does not bear signature of the Consumer. Distribution Licensee official submits that Consumer refused to sign. Distribution Licensee even changed the meter merely on asking still Consumer has not paid the bills. Distribution Licensee's official informs the forum that there was an electric pole installed near the house of Consumer which was disputed and complained for removal. Because of this dispute Consumer has been acting in that fashion.

Having given careful consideration to the material before us we clearly see that there was clear compliance of CGRF order and accordingly reconnection was done. There after on some excuse that copies of record were not given and merely by doubting the working of the meter Consumer has refused to pay the bills after regularly consuming the energy which is strange and cannot be accepted. The bills cannot this way be presumed to be incorrect merely on some doubt. The Distribution Licensee has even replaced the meter merely for the satisfaction of the Consumer but still Consumer has refund to pay the bills.

In the above view of the matter the grievance made is not sustainable hence fails.

Hence the order.

ORDER

Grievance is dismissed.

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.*

