



Consumer Grievance Redressal Forum, Kalyan Zone  
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**No. K/DOS/67/1613 of 2017-18**

Date of registration : 07/05/2018

Date of order : 17/05/2018

Total days : 11

**IN THE MATTER OF GRIEVANCE NO. K/DOS/67/1613 OF 2017-18 SHRI. JAIWANT DATTATRAY PARAB, H.NO.414, INDIRA NAGAR, BARAMPUR, TAL-VASAI, DIST.-PALGHAR, PIN CODE-401 202 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN DISCONNECTION OF SUPPLY.**

Shri. Jaiwant Dattatray Parab,  
H.No.414, Indira Nagar,  
Barampur, Tal-Vasai,  
Dist.-Palghar, Pin Code-401 202.

(Consumer No.001800478789)

... (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution  
Company Limited,  
Through it's Nodal Officer,  
Vasai Circle, Vasai

... (Hereinafter referred as Licensee)

**Appearance** : For Licensee - Shri.N.V.Waghmare, UDC, (I/C AA), Vasai (U) S/dn.

For Consumer - Smt.S.J.Parab (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) The facts of the Grievance Application in brief are :-

The Consumer Shri. Jaiwant Dattatray Parab in his grievance application claims that he is having residential connection at Vasai having Consumer no. 001800478789. The Consumer contends that he is paying the electricity bills regularly.

The grievance of the Consumer is that from April-2015 onwards till Feb-2018 Licensee has not taken the reading from his meter and billed on average. In month of Feb-2018 huge bill amount of Rs.99670/- issued by Licensee.

The Consumer further submitted that Licensee has revised the bill to Rs.77400/- for total period of Mar-2015 to Feb-2018 i.e.for 36 months.

Consumer therefore requested to revise his bill for 24 months, as per section 56 (2) of IE Act 2003.

Consumer also contended that his connection was disconnected without notice. Consumer demanded installment as per Distribution Licensee letter no.24156 dt.18/07/2009.

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/205 dt.07/05/2018 to which Licensee appeared and filed reply on date 23/04/2018.

4) Licensee in its reply contended that Consumer is having residential connection where he is using supply for 3 rooms. Consumer meter was replaced in month of Feb-2015, from that month Consumer was billed as per '100' unit average. In month of Jan-2018 during spot inspection the fact of meter replacement revealed & the meter reading was '11247'. The said accumulated units divided in 32 months from Mar-2015 to Oct-2017 & bill is revised for '351' units/months.

After Consumer application on 20/04/2018 the said bill divided in four equal installments but Consumer refused to pay the bill. Hence on 03/03/2018 notice was served to Consumer & Supply was disconnected accordingly.

5) We have heard both parties and have gone through the record kept before us. We have gone through the CPL which shows that Consumer was getting average 100 units consumption bills from April-2015 to May-2017 from Jun-2017 to Feb-

2018 Consumer received bills as per different average consumption Consumer went on paying this bills without making any complaints or raising any issue regarding reading or billing. When the Consumer received a huge bill in the month of Mar-2018, Consumer approached to the Licensee. The CPL on record shows this span of average/incorrect bill for period of 36 months, which according to us is quite a big span.

6) CPL shows that the Consumer was getting average bills from April-2015 to Feb-2018. But during this period the meter was recording the consumption. In month of April-2015 meter was replaced whereas in month of Jan-2018 the reading was '11247' Licensee did not take proper reading for 35 months i.e. from April-2015 to Feb-2018.

7) The record shows that the Consumer was receiving the bills of average/incorrect units for a period of 35 months (from April-2015 to Feb-2018) in spite of that Consumer has not brought this fact to the notice of the Licensee. We are of the opinion that, as per the provision of section 56 (2) Licensee can recover the amount arrears from the Consumer for the period of 2 years only. In the present case Licensee has raised the bill in Mar-2018. Hence Licensee can go back upto April-2016 only and will have to waive of the bill amount of April-2015 to Mar-2016. As CPL shows that the Feb-2015 bill is as per reading. Consumer demand for 24 installment is also justified hence 24 installments can be granted.

8) During hearing of matter interim order was passed to reconnect the supply after payment of Rs.10000/- towards arrears. Accordingly Consumer paid the amount & Licensee reconnect the supply without reconnection charges.

Hence the order.

### **ORDER**

- 1) The Grievance application of consumer is partly allowed.
- 2) Licensee is directed to revise the bill for the period of April-2016 to Mar-2018 by way of slab benefit for 24 months & adjust Rs.10,000/- paid by Consumer.
- 3) Licensee is directed to recover this amount by giving 24 installments to the Consumer without interest and DPC.
- 4) Consumer to pay this amount (installment) along with the current bill. If the Consumer fails to pay an installment interest, will be charged for the remaining as per RBI rate of interest.

- 5) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Dated : 17/05/2018

(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.*

