



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

**No. K/DOS/66/1552 of 2017-18**

Date of registration : 26/03/2018

Date of order : 11/04/2018

Total days : 17

**IN THE MATTER OF GRIEVANCE NO. K/DOS/66/1552 of 2017-18 OF SHRI.DARSHAN RAMJI MOHAKAR, PATIL NAGAR, NEAR VASTU MANGAL BUILDING, BHOIR BUILDING, RM NO.3, VASHIND (E). TAL.SHAHAPUR, DIST.THANE, PIN CODE - 421 604 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.**

Shri.Darshan Ramji Mohakar,  
Patil Nagar, Near Vastu Mangal Building,  
Bhoir Building, Rm no.3, Vashind (E).  
Tal.Shahapur, Dist.Thane,  
Pin Code - 421 604.

(Consumer No. 015518130541) ... (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 - Shri. A.G.Katakwar, Dy.EE, Shahapur

For Consumer - Shri.Ram Mohkar (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 :

Consumer residing at Taluka Shahapur, District Thane is having Consumer Number 015518130541 and is having electricity connection from Aug-2015. The main contention of the Consumer is that Licensee has issued him the electricity bills without taking actual reading and that to from the date of installation It is also contended by the Consumer that he did not get the bill in the time.

It is further submitted by the Consumer that his meter was replaced for three times without his knowledge. The meter number working in premises and the meter number showing on the record are also different. Even his meter was disconnected 2/3 times without giving any notice to him.

According to the Consumer the bills issued to the Consumer are excessive and he made several complaint to the Licensee in this regard even he has made written complaints to the Licensee 3/4 times but Licensee did not take cognizance of his complaint and had not given reply in writing. Consumer stated that he is ready to pay the bills as per reading and wants monthly calculation the bill.

Other grievance of the Consumer are :-

- a) The employee of the Licensee are not discharging his duty properly.
- b) They misuse their designation
- c) Behave with the Consumer is in proper manner etc.

For all the above grievance Consumer approached IGRC. Not satisfied with the IGRC order Consumer approached the forum and requested that:-

He be compensated for the harassment and the mental agony. The Consumer further also asked to penalized the concerned officials for not discharging their duty.

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/118 dt.26/03/2018 who appeared and submitted that the meter of the Consumer is inside the premises (house) of the Consumer and invariably the premises of the Consumer found locked. However whenever we found the premises (house ) of Consumer is opened we have taken the actual meter reading and have issued the bills to the Consumer accordingly. Licensee further submitted that till the date Consumer has not paid a single paisa towards the amount of bill. We have disconnected his supply for non-payment of bills.

Licensee also submitted that it is not correct/true that his supply was disconnected without notice We have issued a notice of disconnection to the Consumer but since he was not at home the same was posted on his door. It is contended by Licensee that Consumer meter – Rolex make was replaced as per directions of the higher authority and his second meter was replaced as it was a faulty meter. His supply is permanently disconnected on Nov-2017 for default in payment by following proper procedure. The bill issued to the Consumer is correct.

We have heard the arguments of both the parties and have perused the record. We have observed that

1) Contention of the consumer that is since he is not getting the bills as per reading he was not bound to pay the succeeding bills is absolutely wrong. We have observed that there is no material on record to show that the bill issued to the Consumer is defective in any respect we have also noted the contention of the Consumer that he is not trying to avoid his liability to pay the bills. We are of the opinion that, it is the statutory duty if the Licensee to issue the electricity bill regularly and it is also obligatory on the part of the Consumer to pay the bills regularly. In the present case we feel that Licensee should issue a fresh bill to the Consumer on the basis of investigation.

So far as other complaints of the Consumer concerned such as

- a) Employees negligence
- b) Employees failed to discharge
- c) Misuse of employee's designation & etc.

Can not be defined as grievance. The word grievance as per clause of MERC, CGRF , and electricity ombudsman 2006 is as under.

So the complaints mentioned in a) – b) and c) can not be define as grievance under electricity Act 2003.

However we have observed that in number of cases, such non action from the Licensee's side is very common. In number of cases no proper reply is given by the Licensee and hence the Consumer has to run from pillar to post. In the present case also no reply has been given in writing to the Consumer and he had to suffer harassment and mental agony. Which Consumer should be compensated.

It is surprising to note that Consumer connection is permanent disconnection from Nov-2017, but he has not insisted for reconnection by paying some amount. We have also noted that the average consumption of the Consumer is approximately 32 units per month.

Hence the order.

### **ORDER**

- 1) Grievance application of consumer is here by partly allowed.
- 2) Licensee is directed to issue a fresh bill to the Consumer taking in to consideration 32 units per months.
- 3) Licensee is directed not to charge interest on this bill.
- 4) Licensee is directed to pay Rs.500/- to the Consumer towards compensation as per clause 8.2 (e) of MERC . . . . . 2006.
- 5) Licensee is directed to adjust this amount of compensation in the ensuing bill.

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

Date: 14/03/2018

(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.*

