



Consumer Grievance Redressal Forum, Kalyan Zone
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No. K/DOS/64/1550 of 2017-18

Date of registration : 19/03/2018

Date of order : 11/04/2018

Total days : 23

IN THE MATTER OF GRIEVANCE NO. K/DOS/64/1550 of 2017-18 OF M/S ASHA FOOT WEAR PVT. LTD., PLOT NO.J-40, ADDL. MURBAD MIDC, KUDAVALI INDUSTRIAL AREA TAL-MURBAD, DIST.THANE PIN CODE-421 401 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

M/s Asha Foot Wear Pvt. Ltd.,
Plot No.J-40, Addl. Murbad MIDC,
Kudavali Industrial Area Tal- Murbad,
Dist.Thane Pin Code-421 401.

(Consumer No.018860100751) ... (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 - 1) Shri. D.M.Davange, Dy.EE, Murbad S/dn

For Consumer - Shri. J.S.Rajput (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 is having LT connection to his factory situated at plot No J-40 Addl. MIDC at village kudavali, Taluka Murbad District Thane.

It is the contention of the Consumer that the above factory is locked since last 10 years hence there is no consumption of electricity except in the watchman's room.

The Consumer further contended that he has already given an intimation to the Licensee to that effect in spite of that Licensee has issued a huge amount of bill to the Consumer. Consumer made a complaint to the Licensee but no reply has been given to the Consumer from the Licensee. In this connection Consumer wrote many letters to the Licensee to test his meter and to revise his electricity bills.

It is further submitted by the Consumer that instead of replacing his meter and revising his bill, Licensee one fine morning disconnected the supply of the Consumer without giving notice or affording any opportunity of hearing to the Consumer. Consumer alleged that he has suffered a great mental agony because of the illegal disconnection of supply.

Consumer contended that after a continuous follow up with the Licensee, who checked his meter in the lab which found O.K. as per the test report. In this connection Consumer submitted that though the disputed meter shows that it is working within permissible limit record shows that in the month of July-2017 and August-2017 meter has shown abnormal consumption and that to when the factory was closed for the last 10 years.

According to the Consumer his meter was jumped in the month of July-2017 and August -2017. The consumption in the month of August-2017 shows 1086 units and in the month of Sept-2017 it shows 1469 units. After receiving the inflated bills Consumer rushed to the Licensee, who refused to revise the bills of the Consumer hence as per the direction of the Executive Engineer, Murbad Consumer paid an amount of Rs.5000/- and also paid reconnection charges.

Aggrieved by this, Consumer approached IGRC. Not satisfied by with the order of IGRC Consumer approached CGRF and requested to direct Licensee to

- a) Revise the bills for the month of July-2017 and August -2017.
- b) To pay compensation.

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/109 dt.19/03/2018 who appeared and filed reply on date of hearing

4) Licensee appeared and contended that as per the request of the Consumer his meter was replaced with a new meter. Even his old meter was tested in the presence of the

Consumer and it was found O.K. Licensee further added that as per the request as per the request of the Consumer his load was reduced from 30 kw to 20 kw.

The Licensee further contended that since the Consumer has not paid the electricity bills, his supply was disconnected. There was no illegal disconnection of supply hence Consumer's grievance application be dismissed.

5) We have gone through the documents kept on record and also heard the arguments by both the parties. We have observed that :

a) The bills issued in month of July-2017 & Aug-2017 to the Consumer is excessive in relation to the previous and subsequent consumption.

b) There was no satisfactory explanation from Licensee's side for the sudden spurt in the units for the month of **July-2017 and August -2017** Hence inference can be drawn that there was a defect in the meter recording the units at least during the disputed period. But after careful observation of CPL & other records it is observed that Consumer meter is replaced on date 23/08/2017 after Consumer application. In month of July-2017 old meter No. 'MSE63136' was in place & consumption recorded by this meter is '1086' units. In month of Aug -2017 new meter installed on date 23/08/2017. Consumption recorded by previous meter in Aug-2017 is '810' units, whereas units consumed by new meter (MHD02263) is '659' units. Hence total billed units in month of Aug-2017 is '1469' units. If we consider previous meter as defective then why the new meter reading is on higher side? It is not possible because the same meter is showing normal reading in subsequent months.

c) Hence this forum is not inclined to consider the previous meter (MSE63136) As defective. There is possibility that the Consumer might have used the energy or it is wasted in faulty equipment unknowingly. After removal of faulty equipment the same might have come to normal consumption. Also the meter testing report is o.k.

d) As far as disconnection without notice is concerned, there is no satisfactory reply by Licensee. Hence it is proved that the supply is disconnected without notice. Hence we hereby instruct to take against the defaulter.

Hence the order.

ORDER

1) Grievance application of consumer is here by rejected.

Date: 11/04/2018

(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.*

