



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. K/DOS/70/1672 of 2017-18

Date of registration : 30/06/2018

Date of order : 23/08/2018

Total days : 54

IN THE MATTER OF GRIEVANCE NO. K/DOS/70/1672 OF 2017-18 OF SHRI.GHANSHYAM BHATIA, SHOP 130, SHIV ROAD, SHAHAD PHATAK, ULHASNAGAR, DIST-THANE, PIN CODE - 421 001 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri.Ghanshyam Bhatia,
Shop 130, Shiv Road,
Shahad Phatak, Ulhasnagar,
Dist-Thane, Pin Code - 421 001
(Consumer No. 021510731651)

... (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.J.L.Borkar, AEE, Ulhasnagar-I 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 Regulations 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 in brief are :

The Consumer is carrying on a business of wine shop, having electricity supply to his premises at Ulhasnagar from 04/07/96.

Consumer submitted that on 04/05/2017 he issued a letter to the Licensee to issue him minimum bills as his shop/premises is locked/closed as per court's order.

Consumer further stated that he received a bill for the month of April-2018 which was excessive and he has made a complaint to the Licensees about the same on 14/05/2018.

Consumer also contended that he is having this electricity connection/supply from 04/07/96. He was paying the bills regularly. According to the Consumer his consumption patterns never exceed more than '2220' units. However in the month of April-2018 he received a bill for '5935' units amounting to Rs.75,720/-

His contention is that though the meter is showing O.K. in the lab test report but if it would have been accuchecked then the report would have shown as faulty meter. Moreover the meter is also tested in the lab after a considerable gap.

Consumer pleaded that his disputed bill be revised as per the consumption pattern of the new meter or as per the consumption pattern of the last five years.

3) Notice was issued to Licensee vide letter no.EE/CGRF/Kalyan/287 dt.30/06/2018 to which Licensee appeared and filed reply on date 04/07/2018.

4) Licensee stated in it's spot inspection report dtd.05/05/2017 that the said shop is locked and sealed by revenue authorities on 05/05/2017 as per Hon'ble Court's order. Reading on the meter can not be taken as the meter was inside the shop. The bill issued to the Consumer for the month of April-2018 is accumulated reading from 05/05/2017 till March-2018. Till that period meter was inside the shop of the Consumer and in Jan-2018 it was shifted outside the shop/premises of the consumer.

Meter was accuchecked on 16/05/2018 on receipt of the complaint of the consumer. The concern Assistant Engineer found the reading progressive and as per connected load. Hence he reported that the bill issued to the consumer is as per the readings.

Licensee further contended that this report was informed to the Consumer and also requested the Consumer to pay lab testing fees in case of any doubt regarding the working of the said meter. Accordingly meter was tested on 20/06/2018 and it was found O.K. On 29/05/2018 a new meter was installed. This meter was also spot inspected on 29/06/2018 on oral complaint of the consumer and at that time readings on the new meter found as '2399' which was a one month consumption.

It is contended by the Licensee that the meter found O.K. after testing in the lab on 20/06/2018. Bills are issued as per recorded consumption on the meter. Since Consumer has not given the confirmed date of re-opening the shop, his grievance of jumped meter reading is not correct.

5) We have gone through the record kept before us and have heard the arguments of bot the sides. We have observed that :-

- i) Meter reading in the month of July-2017 and Jan-2018 are matching with the photo reading.
- ii) Consumer has received a bill of huge amount in spite of the closer of shop from 05/05/2017.
- iii) There is no evidence on record to confirm the date of re-opening of the shop. In absence of satisfactory explanation from consumer regarding the confirmed date of reopening of the shop the inference can not be drawn that the said reading is jumped in that particular period.
- iv) Meter was accuchecked and was also tested in the lab. The testing reports shows that meter is O.K.
- v) Though the reading shows a sudden spurt in absence of confirmed date of re-opening of shop by the consumer we can not concluded that the it is a jumped reading. In letter dtd.14/05/2018 issued by Consumer to additional Executive Engineer, Ulhasnagar, Consumer stated that the shop is re-opened in the last month. In the letter dated 30 June-2018, Consumer states that the shop was re-opened last month only. Consumer's previous statement is contradictory with the subsequent statement.

Taking into consideration all the above facts we pass the following order.

Hence the Order

ORDER

Grievance application of the consumer is hereby rejected.

[Note : On 14/08/2018 Consumer has submitted his submission. We have gone through it, no new points is raised in the said submission.]

Date: 23/08/2018

(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.