



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. K/DOS/72/1687 of 2017-18

Date of registration : 27/08/2018

Date of order : 10/10/2018

Total days : 44

IN THE MATTER OF GRIEVANCE NO. K/DOS/72/1687 OF 2017-18 OF SHRI. AMRUTA RAMDAS TALPADE, ROOM NO.16, RIDDHI SIDDHI COMPLEX, GERASE ROAD, SHASTRI COLONY VASIND (E), TAL - SHAHAPUR, PIN CODE - 421 601 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

Shri. Amruta Ramdas Talpade,
Room no.16, Riddhi Siddhi Complex,
Gerase Road, Shastri Colony Vasind (E),
Tal - Shahapur, Pin Code - 421 601
(Consumer No. 015510110215) . . . (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, DyEE, Shahapur S/dn.

For Consumer - Shri. Amruta Talpade (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) Consumer has filed this grievance application before forum and prayed for refund of excess amount recovered by the Licensee. Another contention of the Consumer is that though he was following up with the Licensee his excessive bills were not revised and he was compelled to pay an excess amount towards '743' units which were not consumed by him. Consumer has also made some allegations about the rude behavior of the officials of the Licensee. In this connection he has lodged a police complaint.

3) One more grievance of the consumer is that his supply was disconnected for four times that too without notice. He was also made to stay without electricity supply from 06/02/2018 to 14/02/2018. Only on a number of representation being made by the Consumer his supply was reconnected. Regarding the excess billing consumer stated that the excess bill served on him is an outcome of faulty billings.

4) With regard to the relief, it is the claim of the Consumer that due to illegal disconnection of electricity of his premises for four times he has suffered hardship apart from financial loss.

For all the above reasons consumer has claimed Compensation.

5) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/236 dt.27/08/2018 to which Licensee appeared and filed reply on date 18/09/2018.

6) The stand taken by the Licensee in its reply that as per the instructions of CGRF Licensee has :-

- i) Issued current bills as per reading.
- ii) Attached photos of current bill.
- iii) Revised the bill for Aug-2017 to Dec-2017 for '130' units in 5 months through B-80.

7) We have heard the arguments and have gone through the documents placed before us.

Record shows that the excess amount for Rs.427/- paid by the Consumer has been adjusted by the Licensee by giving credit of Rs.427/- in the month of Sept-2018 Record also shows that a bill revision has been made by the Licensee upto Dec-2017 and for the of Jan-2018 and Feb-2018 Licensee has charged average of '70' units to the consumer as per his previous consumption pattern. We have also observed that reading for the month of Dec-2016 is '2410' and Dec-2017 is '2896'. Which comes to '486' units for 12 months (2896-2410=486) hence the average will be 40.5 units per month. The Licensee has to revise the bills accordingly, for the month of Jan-2018 and Feb-2018. The action taken by Licensee after a continuous follow up by the consumer from 2016 to 2018. No cognizance was taken for a period of two years, by the Licensee. We have also observed that the photographs placed on record by the Licensee are not legible.

8) Regarding the issue of rude behavior of the official of Licensee we do not have jurisdiction to deal with this issue. Consumer can take proper recourse in this connection by approaching proper authority if he so desires.

9) Regarding the important issue of compensation for disconnection we are of the opinion that consumer is entitled for the hardship as Licensee could not give proper justification for disconnection without notice that too for four times. Licensee also made the consumer to remain without electricity for approximately 8 days which is absolutely contradictory to the statutory provisions of law. Record shows that consumer was following up with the Licensee for bill revision from 2016 to 2018 Licensee has not taken any action on his 7/8 letter and disconnected his supply without notice hence consumer is entitled for compensation for Rs.1000/-

Hence the Order

ORDER

- 1) Grievance application of Consumer is allowed.
- 2) Licensee to revise the bill for month of Jan-2018 and Feb-2018 considering average use as '40' units/month.
- 3) Licensee is directed to the consumer to pay Rs.1000/- towards compensation within 30 days from the date of receipt of this order.
- 4) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 10/10/2018

(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.