



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
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**No. K/DOS/73/1718 of 2017-18**

Date of registration : 25/09/2018

Date of order : 24/10/2018

Total days : 30

**IN THE MATTER OF GRIEVANCE NO. K/DOS/73/1718 OF 2017-18 OF SMT.RATNMALA B.MODAK, VIKRANT APT., A/302, KALYAN-AMBERNATH ROAD, DIST.-THANE, ULHASNAGAR-3, PIN CODE-421 003 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.**

Smt.Ratnmala B.Modak,  
Vikrant Apt., A/302,  
Kalyan-Ambarnath Road,  
Dist.-Thane, Ulhasnagar-3,  
Pin Code-421 003

(Consumer No. 021510763146) . . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution  
Company Limited

Through it's Nodal Officer/Addl.EE.

Kalyan Circle - II,

. . . (Hereinafter referred as Licensee)

Appearance : For Licensee - 1) Shri.V.R.Thakare, AEE, Ulhasnagar-III S/dn.  
2) Shri.R.P.Joshi, AA, Ulhasnagar-III 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 brief details of the case are as follows :
  - a) The contention of Consumer is that wrong billing is done from 09/03/2016 with faulty/locked status and refund the amount paid as per reg.15.4.1. of supply code.
  - b) Connection disconnected without notice and then reconnected in 5-6 hours.
  - c) No reply given by Licensee to any letter of consumer.
  - d) For mistake in energy bills SOP to be given by Licensee. Also compensation for mental and physical harassment demanded.
- 3) After receipt of this Grievance, entire case papers were forwarded to the Nodal Officer vide Ltr.No.EE/CGRF/Kalyan/278 dt.25/09/2018 to this letter Licensee replied through it's Additional Executive Engineer Ulhasnagar-III S/Dn. on date 10/10/2018.
- 4) In its reply Licensee submitted that Consumer Smt.Ratnmala B.Modak billed as per average status for period Oct-2017 to Sept-2018 but actually meter was working and recording the Consumption. In month of Sept-2018 actual reading '7541' received & Consumer bill revised for period Oct-2017 to Sept-2018 as per reading i.e '913' units withdrawing average '1400' units. The said average reading bill is revised by Licensee by giving slab benefit & withdrawing faulty billed units, amount of Rs.5609.42 will be credited to Consumer, hence there is no more scope for bill revision. The said meter was tested in lab and meter found o.k. The revised bill Rs.3350/- issued to Consumer but he did not pay it. Licensee requested to direct the consumer to pay the revised bill. The disputed meter is replaced by Licensee on 26/09/2018.
- 5) After going through the documents on record and the reply submitted by Addl.Exe.Engineer, Ulhasnagar-III S/dn and argument heard from both sides. From CPL it is clear that Licensee has billed 'INACC' from July-2017 to Oct-2017 and faulty to the Consumer for period Nov-2017 to Sept-2018 for average of '200' units. In month of Sept-2018 Consumer reading received by Licensee. Now Licensee claims that the bill is revised from Oct-2017 to Sept-2018 but from CPL it is clear that there was no proper reading taken from the month of Apr-2017 because average use for 1 year prior to Apr-2017 was  $(6046-4998 = 1048)$  i.e. '87' units/month. In month of Apr-2017 bill of '264' units issued, in May 'INACC' bill issued, in Jun-2017 '552' units bill issued and thereafter 'INACC' and faulty till Sept-2018. If we consider reading of Apr-2017 i.e. '6046' and final reading in Sept-2018 ie.'7541' the total use is '1495' units in 18 months, the average use month is '83' units/month which is matching with previous average of '87' units. Hence the bill revision done by Licensee is not correct and bill to be revised for period Apr-2017 to Sept-2018. Consumer was insisting to revise the bill as per reg.15.4.1. for 3 months only but it can not be granted as meter testing report is showing that meter error is within permissible limit, hence regulation 15.4.1 for faulty meter not apply here.

6) So far as SOP is concerned as per clause 14.3 of MERC Supply Code Regulation 2005 it is duty of Licensee to take reading of residential Consumer once in every two month. But Licensee has failed to do so. The CR claims compensation (SOP). The regulation 14.3 of MERC supply code regulation 2005 reads as under :-

**Reading of meter**

*Meter reading shall be under taken by the Authorized Representative at least once in every three months in the case of agricultural consumers, and at least once in every two months in the case of all other consumers, unless specifically approved by the Commission for any consumer or class of consumers.*

For this Licensee contended that the said meter was of Rolex Company and even though there was no reading on display but meter kept recording the consumption. When the meter battery push button pressed then the reading appeared on screen, which was progressive. Licensee has already replaced the meter.

Consumer filed the claim of SOP to this forum directly and which is within 60 days from cause of grievance i.e. readings are not taken monthly. Hence consumer is entitle for SOP compensation. Appendix 'A' is reproduced here.

<b>8</b>	<b>Other Services</b>		
<b>(i)</b>	<b>Reading of consumer's meter</b>	<b>Once in every three months (agricultural).</b>	<b>Rs 100 for first month or part thereof of delay ;</b>
		<b>Once in every two months (all other consumers).</b>	<b>Rs 200 per month or part thereof beyond the first month of delay.</b>

As per appendix 'A' SOP payable for 1<sup>st</sup> month is Rs.100 and then Rs. 200 per month. In this case Licensee has not taken proper reading since Apr-2017 to Sept-2018. Licensee should have been taken proper reading from May-2017 which is not done by Licensee hence consumer is entitle for SOP compensation as follows :

<b>Sr. No.</b>	<b>Details</b>	<b>Compensation per month</b>	<b>Total Compensation</b>
i)	Reading not taken for the month of May-2017 – 1 <sup>st</sup> month	Rs.100	100
ii)	Reading not taken for the month of Jun-2017 to Sept-2018 – 16 months	Rs.200	3200
<b>Total</b>			<b>3300</b>

7) As far as disconnection notice is concerned Licensee submitted that the connection was reconnected immediately after consumer request. The forum has opined that the disconnection is done without notice. Hence the forum warns Licensee officers to avoid such incidences in future.

In the above view of the matter following order is passed.

Hence the order.

### **ORDER**

- 1) Grievance application of consumer is here by partly allowed..
- 2) Prayer for revision of bill as per reg.15.4.1 is rejected.
- 3) Licensee to revise the bill of Consumer for period of Apr-2017 to Sept-2018 as described in paragraph no.5. of this order.
- 4) Licensee to pay Rs.3300/- to Consumer by way of SOP compensation for not following reg.14.3.
- 5) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 24/10/2018

(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.*