



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1463/1716 of 2017-18

Date of registration : 15/09/2018

Date of order : 31/10/2018

Total days : 46

IN THE MATTER OF GRIEVANCE NO. K/E/1463/1716 OF 2017-18 OF SHRI. SHRI.VITHAL DATTU SHELAR, H.NO.74, AT-BHISOL VILLAGE, POST-RAYATE, TAL-KALYAN, DIST-THANE, PIN CODE - 421 301 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri.Vithal Dattu Shelar,
H.No.74, At-Bhisol Village,
Post-Rayate, Tal-Kalyan,
Dist-Thane, Pin Code-421 301
(Consumer No. 020440000861)

. . . (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. D.D.Dhuwe, Dy.EE, CSD S/dn Kalyan

For Consumer - Shri. Ganesh Shelar (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 submitted in his grievance application that is consumer no. is 020440000861 and Licensee has provided electricity supply to the consumer from 05/11/1998 at the above address. The consumer alleged in his grievance application that he is getting inflated bills from August-2016 till the date of filing of the grievance application. He submitted that he has sent several letters to the Licensee in this regard but in vain. The consumer further submitted that he requested on 02/07/2016, 19/07/2016, 07/09/2017, 04/08/2017, 07/09/2017, 13/07/2017, 19/12/2017 and 28/02/2018 to the official of the Licensee that presently he is not staying at the above premises and that he may be charged only minimum charges for the period from July-2016 as there was no electricity consumption. But it was not done by the Licensee till the filling of this grievance application. Consumer submitted that for each and every month (though he has submitted the applications mentioned above) he had to rush to the Licensee office to get his bill rectified. He had to take leave from his office for every month and had to run from pillar to post.

3) Consumer prayed for compensation for the physical and mental harassment and for financial loss he has suffered.

4) Licensee has denied the allegations of excess billing in its reply. It is stated that on the basis of consumer's complaints B-80 was made and the excess amount paid by consumer was credited and relief was granted to consumer. Licensee urged that compensation may not be awarded to consumer as the issue of excess billing is already rectified and that consumer has not suffered any loss. Licensee further contended that :

i) The faulty status bill is issued to the consumer for average '195' units per month from Aug-2017 to Feb-2018. The bill is revised in July-2018.

ii) Again the reading was not taken by agency from July-2018 to Oct-2018. Hence average '300' units charged per month.

iii) Inspection carried out on 20/10/2018. The house of said consumer is locked as per the inspection.

iv) The bill is revised as per inspection and consumer has to pay only 275/- (i.e.fixed charge from July-2018 to Oct-2018)

Thus his grievance is already sorted out, hence compensation may not be allowed.

5) Consumer submitted that he if would not have received the excessive bills in question he would not have to come down from his place (Mharal) to Licensee's office, would not have to run from pillar to post if action would have been taken immediately after his very first application dtd.02/07/2016. Hence according to consumer he is entitled for compensation. We have heard the arguments made by both the parties and have gone through the record kept before us. We have noted that :

i) In the present grievance application the consumer at the time of hearing complained only about compensation and did not raised and dispute about excess billings.

- ii) For every month consumer has to come to Sub Division Bail Bazar, Kalyan Every time the officials of the Licensee ask him to bring photo of the meter, report of the meter and made him run from one office to another.
- iii) Record shows that the fact that the consumer had given several applications i.e. on 02/07/2016, 19/07/2016, 07/09/2017, 04/08/2017, 07/09/2017, 13/07/2017, 19/12/2017 and 28/02/2018 regarding his shifting to another place (at Mharal) with his family and non-consumption of electricity at the above mention place (in para 1)
- iv) In spite of this huge bills were repeatedly served on him by the Licensee no justification has been given by the Licensee which must have caused harassment and mental agony to the consumer, being a senior citizen.
- 6) Taking into consideration all the above facts it will be proper to grant a compensation to the consumer.

Hence the Order

ORDER

- 1) The Grievance application of consumer is allowed.
- 2) Licensee is directed to pay an amount of Rs.1000/- towards compensation to the consumer by cheque within 15 days from the date of receipt of this order.
- 3) Non compliance of this order will after interest as per SBI rate of interest, till final payment.
- 4) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 31/10/2018

(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.