



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/DOS/75/1726 OF 2017-18

Date of registration : 25/10/2018

Date of order : 22/11/2018

Total days : 28

IN THE MATTER OF GRIEVANCE NO. K/DOS/75/1726 OF 2017-18 OF Dr. JITENDRA SUHAS KHAIR, WILD CAMP, KHERWADI, PIN CODE - 421 605 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

Dr.Jitendra Suhas Khair,

Wild Camp, Kherwadi,

Pin Code - 421 605

(Consumer No. 009560007393) . . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution

Company Limited

Through it's Nodal Officer/Addl.EE.

Palghar Circle, Palghar

. . . (Hereinafter referred as Licensee)

Appearance : For Licensee - Shri. R.A.M.Saiyyad, Dy.EE, Mokhada S/dn.

For Consumer - 1) Shri. Jitendra Khair (C.R.)

2) Shri.Alpesh Dedhiya (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 herein is one Dr.Jitendra Suhas Khair, having consumer no.009560007393. Grievance is of alleged abnormal billing. In particular in the month of June-2018 bill for Rs.68060/- for the month of July-2018 bill for Rs.198500/- for the month of August-2018 bill for Rs.5,99040/- and for the month of Sept-2018 bill for Rs.623390/- were issued which were incorrect, and inappropriate Distribution Licensee issued notice dt.04/10/2018 for permanent disconnection for non-payment of the said bills. There is no relief sought in 'A' form.
- 3) Distribution Licensee in reply submitted that commercial connection having consumer no. 009560007393 was released to the consumer Dr.Jitendra Suhas Khair on 10/10/2014. The actual load connected on the meter of L & T make is D-freeze 2 nos, Fan 27 nos, CFL 90 nos, Dish TV 1 no. and computer 1 no.
- 4) The consumer was billed as average 73 units per month for the month Oct-2016 to Apr-2018. During the check reading, accumulated reading was observed. It was divided for May -2018 to Aug-2018. The matter was also explained to the consumer about the said accumulated consumption of 5000 units from Oct-2016 to Apr-2018.
- 5) It is contention further that consumer did not pay the bills where upon 15 days' notice was issued for disconnection but the consumer neglected do pay the bill and vide letter dt.31/08/2018 informed that meter was burnt due to short circuit. MSEDCL authorities inspected the premises and carried out panchnama on 31/08/2018 in respect of burnt meter no.12570579 L&T make. Then on 01/09/2018 the burnt meter was recovered and sealed.
- 6) Distribution Licensee further contends that Permanent Disconnection notice was then issued to the consumer vide Letter no. Dy.EE/MKD/Accts/700 dt.04/10/2018 for payment of 609360/- towards the period up to Aug-2018. As there was suspicion about the burning of meter the same was sent to the manufacturer for detail analysis and investigation. A detailed report has been accordingly received vide MPS/MAO/SSW/18-19/MSEDCL/Palghar Analysis-12570579 dt.13/10/2018 along with MRI report.
- 7) Distribution Licensee submits that the KWH reading of the meter along with photo on dated 20/08/2018 and KWH reading of the meter as shown in the manufactures report was tallied and the same was also confirmed from MRI report. Further the manufacturer has submitted conclusion that the meter is burnt due to external reason and not due to internal problem, excess current or loose termination. It is clear that the meter is burnt by the consumer. The MRI data report and manufacturer analysis report were sent to consumer by letter dt.22/10/2018.
- 8) Distribution Licensee further informs to this forum in the same premises of the consumer there is another 3 phase connection in the name of Dr.Jitendra Suhas Khair with consumer np.009560028269 commercial purpose with connected load of Fan18 no's, CFL 45 no's, mixer 1

no. Inverter 1 no. Distribution Licensee further informs that the connected load of consumer no.009560007393 to the tune of Rs. 60936/- which connection is permanently disconnected on 11/10/2018 and the arrears are shifted to 009560028269.

9) We have heard both sides. It is clearly borne out that consumer no. 009560007393 was average billed at 73 units per month, for Oct-2016 to April-2018 and later, after checking the accumulated units were spread over subsequent period. Consumer was being billed accordingly. Consumer paid the first bill for June-2018 but failed to pay subsequent bills. Thereafter there was the suspicious show of burning of meter. The Distribution Licensee submits that consumer has deliberately burnt the meter of the consumer 009560007393 to dupe the arrears. The reports given by the manufacturers clearly probablise the said conclusion. Further the MRI data also tallies, so there is no question of the bills being in correct. It appears clear, as the Distribution Licensee submits, that because the consumer had two connections in order to dupe the arrears of 009560007393 he burnt the meter from outside hoping that he will get undue advantage due to loss of record but has miserably failed in his exercise. We do not see any illegality on the part of the Distribution Licensee to the shift the arrears of Consumer no. 009560007393 to consumer no. 009560028269, premises being the same so also consumer. Consumer can not be allowed to use technicalities to hood wink the Distribution Licensee.

10) Grievance fails.

Hence the Order

ORDER

Grievance is dismissed.

Date: 22/11/2018

(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.