



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1467/1722 OF 2017-18

Date of registration : 03/10/2018

Date of order : 22/11/2018

Total days : 50

IN THE MATTER OF GRIEVANCE NO. K/E/1467/1722 OF 2017-18 OF SHRI KACHARU MAHADU GANGURDE, KASARA, TAL SHAHAPUR, DIST THANE PIN 421602 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri Kacharu Mahadu Gangurde,

Kasara, Tal Shahapur,

Dist Thane, Pin Code - 421602

(Consumer No. 015730002227)

. . . (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, Dy.EE, Shahapur 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) Briefly the facts are that there is one residential meter bearing No. 05374945 installed at the premises of the Consumer. According to the consumer the meter was replaced on 01/10/2016. Contention of the consumer is that though the old meter has been replaced on 01/10/2016 he was receiving the electricity bills mentioning his old no. Consumer further complained that his meter is faulty and he is receiving inflated bills, which could not be supported by Licensee and which are mainly due to defect in the metering equipment.
- 3) Consumer also submitted that he has been reporting the mistake in his bill from time to time which could not be rectified by the Licensee. Several applications were made by him but no action has been taken by the Licensee. On the contrary he was forced to pay the inflated bills. Even his supply was also disconnected by the Licensee that to without notice. Consumer therefor prays to refund the excess amount paid by him as per 15.4.1 with interest and prays to get the electricity bills as per new meter reading. Consumer has also claimed SOP.
- 4) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/295 dt.04/10/2018 to which Licensee appeared and filed reply on date 17/10/2018 and 23/10/2018.
- 5) In it's reply Licensee contends that :-
- i) Consumer said that his meter was replaced in Oct-2016 but due to replacement report not fed to portal M.S.E.D.C.L issued bill of Faulty Status.
 - ii) When section officer notice that thing they were send staff for meter replacement but consumer opposed him.
 - iii) When MSEDCL staff was visited his premises for recovered his arrears he was always argued with them and opposed to replacement of his meter, so section officer of Kasara section lodge complaint against him for his misbehavior.
 - iv) Consumer meter was again replaced in July-2018 and replacement report was feed a online portal and after that bill was issued as per reading on normal status.
- 6) Licensee also submitted that when the officials of the Licensee visited the premises of the consumer they found that the no. on the meter, which was installed at his premises is different from the no. which appears on the electricity bills issued to him. So the officials decided to replace consumer's meter. However new meter was not available in the office, hence a report was submitted to the Division office as per consumer's electricity consumption.
- 7) Licensee requested to dismiss the grievance application as consumers problem has been sorted out and that now he is getting bills as per reading on normal status.
- 8) We have heard the arguments of both the sides and have peruse the record kept before us. We observed that, the consumer has alleged that he has been reporting the mistake in his electricity bill from time to time and therefore he has contended that excessive bills were due to

defective meter. At the same time Licensee also contended that Licensee has revised the bill as per reading from 01/10/2016 to July-2018 and a credit of Rs.7347.00 has been given to the consumer. Licensee has also stated that the mistake was reported by the consumer on 15/05/2018 and it was cleared in month of Oct-2018. We have also noted that when the meter No.05374945 was installed due to technical mistake it was not fed to the system and hence the bills issued to the consumer under faulty status from Oct-2016 to Jul-2018. Hence question of 15.4.1 does not arise.

9) We have also observed that consumer has made applications to rectify the mistake in his electricity bill on 15/05/2018 and prior to that from 2016 consumer was following up with the Licensee but no prompt action has been taken by the Licensee.

10) We have noted that Licensee went on issuing electricity bills to the consumer with a wrong meter no. from Oct-2016 to July-2018 which shows that no sincere steps were taken by Licensee to remove this mistake. Non availability of meter in the office shows negligence towards service to the consumer. More over Licensee failed to produce meter replacement report dtd.01/10/2016 is a gross negligence. Even Licensee could not produce the copy of complaint, which Licensee claimed to be lodged in the police station. Moreover to send the report of consumer's consumption.

11) We have also observed that consumer's supply was disconnected by Licensee when consumer was not at fault. Taking into consideration all the above fact we feel it proper to award Rs.1500/- towards compensation for mental agony.

Hence the Order

ORDER

- 1) The Grievance application of consumer is partly allowed.
- 2) Licensee is directed to pay Rs.1500/- to the consumer towards compensation.
- 3) Licensee to Comply.
- 4) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

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.