



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax - 2210707, E-mail : cgrfkalyan@mahadiscom.in

NO. K/E/1529/1795 of 2018-19

Date of registration : 29/12/2018

Date of order : 16/01/2019

Total days : 18

IN THE MATTER OF GRIEVANCE NO. K/E/1529/1795 OF 2018-19 OF SHRI.HARESH N.CHANDWANI, PUSHPAM PALACE, FLAT NO.208, ULHASNAGAR-4 DIST. THANE, PIN CODE 421 004 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri.Haresh N.Chandwani,
Pushpam Palace, Flat no.208,
Ulhasnagar-4 Dist. Thane,
Pin Code 421 004

(Consumer No. 021516069799) . . . (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.Kumbhare, AEE, Ulhasnagar-IV 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) Consumer herein is one Shri.Haresh N.Chandwani, Ulhasnagar having Residential connection, consumer no. 021516069799. Grievance is that the meter has not been changed since Aug-2016, though it was faulty. Consumer had made complaint about the same. Consumer prays that Regulation 15.4.1. be applied and average bill for three months may be recovered and remaining paid bill be refunded.

3) Distribution Licensee in reply contends that on 17/07/2018 flying squad detected theft of electricity from the consumer connection and gave a letter directing recovery of bill for theft for '5402' units and plain recovery for '1276' units. Accordingly bills were issued.

4) We have heard both sides. As there is theft of electricity alleged, this forum can not entertain the grievance. But then admittedly there was no reason for issuing a plain recovery bill once Distribution Licensee proceeded under section 126. That being so the plain recovery bill has to be quashed.

Hence the Order

ORDER

- 1) The Grievance application of the consumer is partly allowed.
- 2) Plain recovery bill for '1276' units in the sum of Rs.17,290/- is hereby quashed and set aside.
- 3) Rest of the prayers stand rejected.
- 4) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 16/01/2019

(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.