



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
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**NO. K/E/1542/1816 of 2018-19**

Date of registration : 13/02/2019

Date of order : 06/03/2019

Total days : 21

**IN THE MATTER OF GRIEVANCE NO. K/E/1542/1816 OF 2018-19 M/S RAFIYA DAUD PALSARA, S.NO.343/K.2, LUCKY COMPOUND, KAMAN ROAD, KAMAN, TAL- VASAI, DIST.PALGHAR, PIN CODE- 401 208 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.**

M/S Rafiya Daud Palsara,  
S.No.343/K.2, Lucky Compound,  
Kaman Road, Kaman, Tal- Vasai,  
Dist.Palghar, Pin Code- 401 208  
(Consumer No. 002210005300)

. . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution  
Company Limited  
Through it's Nodal Officer/Addl.EE.  
Vasai Circle, Vasai

. . . (Hereinafter referred as Licensee)

Appearance : For Licensee - Shri.V.M.Gokhale, UDC, Vasai (E) S/dn.

For Consumer - Shri.Vaze (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 M/S Rafiya Daud Palsara having Consumer No. 002210005300. Grievance is of excessive billing. Distribution Licensee issued bill for Sept-2018 which was exorbitant. The same was revised for 35 months. Prayer is that it should be revised for 24 months.

3) Distribution Licensee in reply contends that up to Oct-2015 consumer was billed as per actual meter reading as recorded. In the month of Oct-2015 current reading was 43280. From May-2016 to May-2018 consumer was billed on an average basis of '450' units per month. That the old meter no.12386691 was replaced with a new one no. 3427472 on 03/08/2018. At replacement it was seen that final reading recorded on old meter no.12386691, was 87895. But consumer was billed up to meter reading 43280. As such consumer remained to be billed for 44195 units for the period from Nov-2015 to Aug-2018. Hence in the bill for Sept-2018 the adjustment was shown. It was shown as 87925 by mistake which was later on rectified to 44195 and the bill for Rs.465510/- was issued for Sept-2018 which included '450' units bill for Sept-2018. Section 56 (2) is not applicable in the present case.

4) We have heard both sides. Short point is whether Distribution Licensee can recover accumulated consumption bill beyond 24 months and the answer is no in view of section 56 (2) IE Act.

Hence the Order

**ORDER**

- 1) The Grievance application of consumer is allowed.
- 2) Distribution Licensee to revise the impugned bill for 24 months only.
- 3) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 06/03/2019

(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.