



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1552/1829 of 2018-19

Date of registration : 27/02/2019

Date of order : 27/03/2019

Total days : 28

IN THE MATTER OF GRIEVANCE NO. K/E/1552/1829 OF 2018-19 OF SHRI.DILIP N.ROHRA, FLAT NO.304, MAHAK APARTMENT, B-WING, NEW LINK ROAD, ULHASNAGAR-3, PIN CODE-421 003 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri.Dilip N.Rohra,
Flat No.304, Mahak Apartment,
B-Wing, New Link Road,
Ulhasnagar-3, Pin Code-421 003
(Consumer No. 021510718043) . . . (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 - 1) Shri.U.R.Thakare, AEE, Ulhasnagar S/dn.- III
2) Shri.R.P.Joshi, AA, Ulhasnagar S/dn.-III

For Consumer - Shri.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 Smt.Pooja Rohra Having Consumer no. 021510718043. Grievance is that the meter was running fast since May-2017 which was not attend to. Then in the month of Nov-2017 meter became faulty. However the same was not changed as per Regulation 14.4.3 even after complaint were given. A bill are issued on faulty status for 12 months. Consumer therefore prayed that as per Regulation 15.4.1 recovery may be adjusted for three months only and remaining amount be refunded along with interest.

3) Distribution Licensee in reply contends that average bills were issued from Nov-2017 to Sept-2018 on account of faulty status. Out of that period for Nov-2017 to Feb-2018 average billing was for '201' units. Then on 26/08/2018 meter was changed and in Oct-2018 it was regularized.

4) Distribution Licensee further states that for March-2018 to Sept-2018 average was '501' units. Upon receiving complaint from the consumer average was taken from normal bills as '281' units. Accordingly bills for March-2018 to Sept-2018 were prepared with average of '200' units 24535.36 bill was issued. Meter is also replaced.

5) We have heard both sides. Admittedly meter was faulty since Nov-2017 as such Regulation 15.4.1 has to be applied which the Distribution Licensee has not done.

6) Secondly as per the said regulation the bill are to be adjusted for three months preceding the date on which the cause of action arises. Consumer has been making complaints since long. One copy of a complaint is produced which is date 27/12/2018. There is one more copy of the complaint dated 02/05/2018 but there is no acknowledgment there on. Thus the date of change of meter has to be taken as date when the dispute arose for the purpose of Regulation 15.4.1. Meter was changed on 26/08/2018. Average billing is already done for previous three months from 26/08/2018 at '201' units. Grievance already stands redressed.

Hence the Order

ORDER

Grievance is disposed off as redressed

Date: 27/03/2019

(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.