



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/DOS/92/1840 OF 2018-19

Date of registration : 13/03/2019

Date of order : 27/03/2019

Total days : 14

IN THE MATTER OF GRIEVANCE NO. K/DOS/92/1840 OF 2018-19 OF THE SECRETARY, RAMAYAN NAGAR, D-WING BUILDING, ULHASNAGAR-3, DIST.THANE, PIN CODE - 421 003 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

The Secretary,

Ramayan Nagar, D-wing Building,

Ulhasnagar-3, Dist.Thane,

Pin Code - 421 003

(Consumer No. 021510705570)

. . . (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.H.J.Gothwad, AEE, Ulhasnagar-III S/dn.

2) Shri.R.P.Joshi, AA, Ulhasnagar-III S/dn.

3) Shri.S.B.Nalawade, AE, Section-I, Ulhasnagar-III 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) Brief facts of the grievance application are that :

The consumer is a society named as Ramayan Nagar, located at Ulhasnagar having consumer no. 021510705570 and date of supply is 06/12/95. This grievance application has been filed through its secretary.

Consumer alleged in the grievance application regarding excessive billing which has been received by Licensee in Feb-2019 amounting to Rs.92,910/-.

3) Contention of the consumer is that the meter of the society was replaced by meter no.7860209457 in the month of March-2018. However the bills issued by the Licensee in respect to this meter were never as per reading and that the bills were issued on the average basis.

4) It is further contended by the consumer that he made a continuous follow-up with the Licensee to rectify the bills and to replace the defective meter but he did not get a positive reply from the Licensee. It is also submitted by the consumer that this meter stopped showing display. Again he perused this matter with the Licensee and finally replaced by meter no. 7603508813 in the month of Nov-2018. But the disputed bill (issued on average basis) was not revised by the Licensee. On the contrary on 02/03/2019 Licensee served a notice under section 56 (1) to the consumer for disconnection of supply.

5) Consumer alleged that Licensee does not rectify the bill nor does it replace the defective meter in time and on top of it issued notice to disconnect the supply of lift and water pump of society thereby causing harassment to the members of the society.

6) Consumer therefore approached to the forum with a request that directions may be issued to the Licensee :

- i) To revise the bill issued in the month of Feb-2018 for Rs.92,910/- as per section 15.4.1
- ii) To give SOP as per the rules and regulations of Hon'ble MERC Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005

7) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/090 dt.13/03/2019 to which Licensee appeared and filed reply,

Licensee submitted that as per the bill dtd. 25/01/2019 consumer was in arrears of Rs.83,480/- According to the Licensee consumer has not deposited any amount since 25/09/2018. Hence disconnection notice dtd.02/03/2019 has been issued to consumer.

Licensee further stated that as per the request of the consumer his meter no.60209457 has been tested in the lab on 11/10/2018 where meter found stopped. Licensee stated that a test report dtd.14/02/2019 is on record.

It is also contended by the Licensee that the bill raised in the month of Nov-2018 for '3548' units is revised by bifurcating it in 4 months (i.e. from August-2018 to Nov-2018)

Licensee further submitted that the bill issued to the consumer is correct as per the load and requested to reject the claim of the consumer and direct consumer to deposit the amount towards the bill.

8) We have gone through the documents placed before us and also heard the arguments of both the parties. Our observations are :

- i) The test report on record dtd. 14/02/2019 shows that the meter found stopped.
- ii) We have also noticed that meter has been tested in the lab on 11/10/2018 and the test report of it is dtd 14/02/2019. The reason for this delay has not been submitted by the Licensee.
- iii) B-80 on record dtd.19/03/2019 shows that bill raised in the month of Nov-2019 is '3548' units is bifurcated from Aug-2018 to Nov-2018.
- iv) Test report on record shows that meter has been tested and found the stopped. But record also shows that B-80 has been done by bifurcating the units in 4 months

9) Admittedly the consumer society is having a load as follows 52 CFL, 30-Bulbs, 3-Fans, 1.5 H.P. total 11 motors, 2-Tubes taking into consideration the above load, it can be said that the bills issued to the consumer are correct, but we have to take into consideration the test report showing the meter stopped. Moreover we have to take into consideration the amount paid by consumer shown in CPL. Taking into consideration all the above fact it is clear that the grievance of the consumer has been resolved. In the light of the above discussion matter stands disposed off.

Hence the Order

ORDER

The Grievance application No.1840 stands disposed off.

Date: 27/02/2019

(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.