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Consumer Grievance Redressal Forum  
"Vidyut Bhavan", Gr. Floor,  
L.B.S.Marg, Bhandup (W),  
Mumbai – 400078.

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REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/ 02/0044      Date: 30.04.2019

**Hearing Date:16.04.2019**

CASE NO.02/2019

In the matter of interim order against threat of disconnection

Mr. Samsad Khan,  
S.No. 3115, Shahid Compound Nagaon-I,  
Bhiwandi-421302 Service No 13012548995) . . . (Hereinafter referred as Consumer)

Vs

M/s Torrent power Ltd  
Bhiwandi

..... (Herein after referred as Respondent)

**Appearance:-**

For Consumer – – Shakeel Ansari      Consumer Representative  
For Licensee:-      P.G.Chetwani  
                                 Mahesh Ghagare  
                                 Hemangi Mayker

[Coram- Dr. Santoshkumar Jaiswal- Chairperson, Shri. R.S.Avhad -Member Secretary  
and Sharmila Ranade - Member (CPO)].

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 Redressal 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 subsection 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] Here in after 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.

This complaint is filed by Samsad Khan Bhiwandi alleged that his meter is running abnormal as reading varying from time to time and claiming his meter is running faster than normal. He further submit that his meter to be test in Laboratory and if found faulty it must be replaced and also demand as per the Gazette of India on Central Electricity Authority Dated 17 March 2006 M/s Torrent power ,meter testing Lab should be accredited by N.A.B.L. He Submitted in Schedule 'A' Form the wrong electricity bill printing and he made application on 02/04/2019 but no response from M/s TPL and harassing without notice disconnection of power supply.

The notice issued to the respondent M/s TPL to submit parawise replay and to appear before forum. The respondent submits that the complainant has directly approach Forum without approaching respective IGRC. The respondent submit that as per Regulation 6 of MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations; 2006 provided as under  
Regulation 6

*6.2 " A consumer with a Grievance may intimate the IGR Cell of such Grievance in the form and manner and within the time frame as stipulated by the Distribution Licensee in its rules and procedures for redressal of Grievances".*

*6.4 "Unless a shorter period is provided in the Act, in the event that a consumer is not satisfied with the remedy provided by the IGR Cell to his Grievance within a period of two (2) months from the date of intimation or where no remedy has been provided within such period, the consumer may submit the Grievance to the Forum. The Distribution Licensee shall, within the said period of two (2) months, send a written reply to the consumer stating the action it has taken or proposes to take for redressing the Grievance."*

The respondent M/s TPL representative submit that the complainant letter dated 31.01.2019 was delivered to TPL on 02.04.2019 and without waiting for the response he has simultaneously approached to the Forum.

I gave opportunity to the consumer and his representative and also representative of M/s TPL present. The Forum heard details grievance of consumer and representative also perused document relied and filed by consumer and also considered the document filed respondent utility. I have given opportunity to the consumer and his representative and representative of respondent heard the dispute and objection raised point wise.

The applicant approached to this forum for interim order against disconnection of power supply under Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006 clause 6.5 which read as "Notwithstanding Regulation 6.4, a Grievance may be entertained before the expiry of the period specified therein, if the consumer satisfies the Forum that prima facie the Distribution Licensee has threatened or is likely to remove or disconnect the electricity connection, and has or is likely to contravene any of the provisions of the Act or any rules and regulations made

there under or any order of the Commission, provided that, the Forum or Ombudsman, as the case may be, has jurisdiction on such matters.

Provided further that no such Grievance shall be entertained, before the expiry of the period specified in Regulation 6.4, unless the Forum records its reasons for the same". Forum heard the both parties on date 16.04.2019 it is observed Mr. Samsad Khan has complaint about fast meter and wrong bill printing. The complainant has made application to M/s TPL regarding fast meter. There is provision in SOP and supply code to deal with matter in specific period. The complainant filed application for interim order against threat of disconnection but unable to show any notice or letter it may cause threat of disconnection. Therefore consumer must first approach to IGRC first to resolve his complaint as per MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations; 2006. The complainant has liberty to file complaint to Forum if complaint not solved within period specified in regulation or dissatisfied with order of IGRC .Hence, I proceed to pass following order.

### ORDER

The Consumer complaint 02/2019 is hereby return to complainant to file before IGRC and hence this complaint dispose off.

No order as to the cost

I Agree/Disagree

I Agree/Disagree

**MRS. SHARMILA RANADE,  
MEMBER  
CGRF, BHANDUP**

**Dr. SANTOSHKUMAR JAISWAL  
CHAIRPERSON  
CGRF, BHANDUP**

**RAVINDRA S. AVHAD  
MEMBER SECRETARY  
CGRF, BHANDUP**

The order is issued under the seal of Consumer Grievance Redresses Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

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, Keshav Building,Bandra - Kurla Complex, Bandra (E),Mumbai - 400 051"
- b) b) consumer, as per section 142 of the Electricity Act, 2003, can approach Hon'ble Maharashtra electricity Regulatory Commission for non- compliance, part compliance or
- c) Delay in compliance of this decision issued under" Maharashtra Electricity Regulatory Commission ( consumer Redressed Forum and Ombudsman) Regulation 2003" at the following address:-

**"Maharashtra Electricity Regulatory Commission, 13<sup>th</sup> 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.