



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/DOS/110/1868 of 2018-19

Date of registration : 08/04/2019

Date of order : 24/04/2019

Total days : 16

IN THE MATTER OF GRIEVANCE NO. K/DOS/110/1868 OF 2018-19 OF SHRI.GOPALDAS H.JAISINGHANI, BK NO.331, R.NO.2 & 3, ULHASNAGAR-2, PIN CODE -421 002 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

Shri.Gopaldas H.Jaisinghani,
BK No.331, R.No.2 & 3, Ulhasnagar-2,
Pin Code -421 002

(Consumer No. 021512047201) . . . (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.M.S.Gavali, AEE, Ulhasnagar-II Sub dn.
2) Shri.Sanjay Sabale, AA, Ulhasnagar-II Sub 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 Shri.Gopaldas H.Jaisinghani having Consumer No. 021512047201. He is no more. Present applicant is his widow who is the occupier/user.
- 3) Grievance is that consumer was not using the electricity. On 22/02/2019 he gave letter for user of electricity but he was given a bill under Regulation 15.4.1 for three months. Notice of disconnection was given.
- 4) Distribution Licensee in reply contends that the Engineer replaced faulty meter of the consumer on 06/02/2019 after receiving a letter from consumer that earlier there was no user but now he wanted to use it now. But it was revealed that there was user going on from July-2018 to Jan-2019 but bills now were on '0' and also there was no previous letter of non-user. Distribution Licensee therefore issue bill under Regulation 15.4.1 for three month viz.Nov-2018 to Jan-2019.
- 5) We have heard both sides. There was no letter given for non-user any time. Meter was faulty hence changed on 06/02/2019. Consumer claims that there was no user but the said stand appears to be an after thought that too on expert advice. There was no letter of non-user given at the appropriate time. Distribution Licensee has therefore properly invoked Regulation 15.4.1 but the period to be used for average consumption would be from Apr-2017 to Mar-2018 which appears to be healthy period.

Hence the Order

ORDER

- 1) The Grievance application of consumer is partly allowed.
- 2) Distribution Licensee to apply Regulation 15.4.1 with the average consumption taken from available healthy period from Apr-2017 to Mar-2018, for three months prior to 06/02/2019.
- 3) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 24/04/2019

(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.