



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/N/155/1828 OF 2018-19

Date of registration : 27/02/2019

Date of order : 22/05/2019

Total days : 85

IN THE MATTER OF GRIEVANCE NO. K/N/155/1828 OF 2018-19 OF MR.BALA LAKHANDAR KALICHARAN CHAURASIA, GALA NO.9, R.C. INDUSTRIAL ESTATE, WAKANPADA, PELHAR, TAL-VASAI, DIST.PALGHAR, PIN CODE-401 209 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT NEW CONNECTION.

Mr.Bala Lakhandar Kalicharan Chaurasia,
Gala No.9, R.C. Industrial Estate,
Wakanpada, Pelhar, Tal-Vasai,
Dist.Palghar, Pin Code-401 209 . . . (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.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 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 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 Mr.Bala Lakhandar Kalicharan Chaurasia having consumer no.001941785405. Grievance is that he applied for you new 20 HP connection at his Gala No.9, R.C. Industrial Estate, Wakanpada, Gaon Pelhar. The same was sanctioned vide no.455 outward no.6276 dated 20/10/2018 and as per consumer no. 001941785405 DTC No.4155098. Meter no. HPL/3662486/10.40 A has also been issued.
- 3) Consumer further states that as per release order connection is to be done within three days. In spite of that no supply has been connected and released to the consumer.
- 4) Consumer moved IGRC in which he was told there was old connection in the said premises which was done permanent disconnection and that there were some arrears due on the same and hence connection was not made.
- 5) Consumer wants to say that earlier there was a connection bearing consumer no. 001940154894. But after partition the brother who was using that connection got it done permanent disconnection. Also at the time of doing permanent disconnection entire arrears were paid by him as per receipt no.0284670 dated 06/09/2018 copy of which has been enclosed. How then arrears cropped up when final bill has been paid and consumer states that because permanent disconnection is done he has asked for fresh connection.
- 6) Distribution Licensee in reply contends that on 15/06/2013 connection bearing consumer no.001940154894 was given to Mr.Bala Lakhandar Chaurasia for Gala No.9. The said connection was made permanent disconnection on the request of the consumer on 07/09/2018. The arrears were 6,52,370/- on 21/12/2018 Distribution Licensee has given a letter to pay the arrears but the same was not paid.
- 7) Distribution Licensee further states that the applicant Mr.Bala Lakhandar Chaurasia applied for fresh connection for gala no.9, R.C. Industrial Estate, Wakanpada, Pelhar, Tal-Vasai, Dist. Palghar which was sanctioned, but before connecting supply it was noticed that there were arrears on the said consumer no. 001940154849 in the name Mr.Bala Lakhandar Chaurasia. Consumer has also admitted about the old connection in the premises.
- 8) Distribution Licensee further states that on 10/08/2018 Flying Squad, Vasai inspected consumer no.001940154894 and detected that billing was done by MF-1 instead of MF-2, as such arrears were calculated from July-2013 to Aug-2018. Which comes to 6,46,190/-. Accordingly bill for the said amount was issued to the consumer. Meanwhile consumer made application for permanent disconnection and after paying current bill got permanent disconnection done on 04/09/2018.
- 9) Distribution Licensee further states that there are arrears in the name of the applicant for gala no. 9. Hence supply was not connected.

10) We have heard both sides. There is no dispute that the premises in question had an old connection stated earlier. It is also not disputed that the same has become permanent disconnection. Consumer wants to say that the arrears of that old connection are paid. He also shown receipt in that regard. But the receipt is in his own name. Hence it is clear that old connection was in the name of applicant himself. A false case was thus stated in the application that there was partition in their property and that old connection was in the name of his brother was done permanent disconnection. In fact it appears clear that after Flying Squad visit on 10/08/2018 connection was got done permanent disconnection by paying current bill on 06/09/2018 and there application was made for fresh connection.

11) In any event it is clear that the MF arrears are in respect of connection of the same premises as such denying supply by Distribution Licensee on account of arrears of old connection in the premises cannot be faulted.

12) The delay is due to consumer changed his representative during the pendency of matter consumer and Licensee both remain absent in different hearing.

Hence the order

ORDER

Grievance is dismissed.

Date: 22/05/2019

(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.