



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/DOS/116/1877 OF 2018-19

Date of registration : 15/04/2019

Date of order : 08/05/2019

Total days : 23

IN THE MATTER OF GRIEVANCE NO. K/DOS/116/1877 OF 2018-19 OF SARVARI NISAR AHEMAD MIRZA, SERVEY NO.9 HISSA NO.4 RAFIQ COMPOUND WAKANPADA, DHANIV, VASAI (E), TAL-VASAI, DIST. PALGHAR, PIN CODE-401 208. REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

Sarvari Nisar Ahemad Mirza,
Servey No.9 Hissa No.4 Rafiq Compound,
Wakanpada, Dhaniv, Vasai (E),
Tal-Vasai, Dist. Palghar, Pin Code-401 208
(Consumer No. 002234094079) . . . (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.Vasant Vaze (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) The brief facts of the grievance application are :-

Consumer had established an Industrial unit in Vasai Industrial area with a 5 HP lathe machine.

Consumer further submitted that the nature of his work is not a continuous process, but it is a job work as per requirement. Consumer also stated that no bills were issued to him prior to July-2017, for the reason not known to him. From June-2018 Licensee started issuing bills. The bill issued for June-2018 was for Rs.62.10.

Consumer further stated that in July-2018 Licensee took reading which was '7102' and the previous reading was '3035'.

Hence an accumulated bill for '4067' units of Rs.20,260/- was issued to him by Licensee. However being a Hugh amount consumer could not pay it, as a result consumer's supply was temporarily disconnected that too without notice.

It is the contention of the consumer that from July-2018 till the filing of this grievance application he is getting only minimum amount of bills and again till March-2019 this amount is accumulated to Rs.26,190/- which made him difficult to make payment.

Consumer also submitted that in July-2018 he received an accumulated bill for '4067' of Rs.20,260/- for no fault on his part. Consumer therefore requested forum to grant suitable installments and to reconnect his supply which has been made Permanent Disconnection on 02/03/2019 by removing his meter. Consumer further submitted that out of his total dues he is ready to pay Rs.5,000/- against the bill for July-2018 along with the unpaid amount towards the bills upto March-2019 and committed to pay current bill along with the installment of Rs.2,000/- per month. Consumer also requested that DPC and interest may not be made applicable to him.

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/159 dt.16/04/2019.

Licensee has not submitted any reply in writing on record but orally contended that meter was at site but fed to the system as Permanent Disconnection hence accumulated bill has been issued to the consumer for 13 months.

Licensee also stated that consumer will get installments for this accumulated bill.

After going through documents placed on record and hearing the arguments made by both the parties we have observed that.

It is improper and illegal on the part of the Licensee to raise an accumulated bill for nearly 13 months. Licensee has not justified for issuing such inflated bill. Due to the negligence of Licensee permanent Disconnection report was fed to the system when the meter was on site According to our opinion consumer should not be penalized for no fault on his side.

Consumer's prayer of reconnection is already granted.

Hence the order

ORDER

- 1) The Grievance application of the consumer is allowed.
- 2) Licensee is directed to give installments of Rs.2,000/- per month to the consumer on the accumulated bill for the month of July-2018.
- 3) Consumer to pay the installment amount along with the current bill.
- 4) Licensee not charge DPC and interest on this amount.
- 5) The amount already paid by the consumer against this accumulated bill be adjusted.
- 6) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 08/05/2019

(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.

