



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1560/1847 OF 2018-19

Date of registration : 16/03/2019

Date of order : 24/04/2019

Total days : 39

IN THE MATTER OF GRIEVANCE NO. K/E/1560/1847 OF 2018-19 OF SHRI.HIRANAND G.LUND, S.NO.117, H.NO.2, VILLAGE KAMBA, TAL-KALYAN, DIST.THANE, PIN CODE – 421 301. REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri.Hiranand G.Lund,
S.No.117, H.No.2, Village Kamba,
Tal-Kalyan, Dist.Thane,
Pin Code – 421 301

(Consumer No. 020060203912) . . . (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 - Shri.D.D.Dhuwe, Dy.EE, CSD 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) Consumer herein Shri.Hiranand Govindram Lund having Industrial connection at village Kamba, Kalyan. Consumer Representative contends that there was no dispute from date of connection i.e.30/04/2010. But there was dispute regarding higher bill at the time of meter replacement on 05/01/2013. For the dispute CGRF, Kalyan passed order for refund of excess amount recovered from consumer but same remain non-complied. Since then every time Distribution Licensee gave part payment of bill but the disputed amount not adjusted in bill till date. Supply disconnected without any enquiry regarding pending dispute. Consumer Representative demands justice, compensation and SOP.

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/109 dt.18/03/2019 to which Licensee appeared and filed reply on 27/03/2019.

4) **Licensee in its reply contends that :**

- i) *Supply was given to Shri.Hiranand G.Lund with consumer no. 020060203912 on Date 30/04/2010 for Industrial purpose.*
- ii) *On 10th Oct 2012, CT of meter was burnt and due to unavailability of new CT on time supply restoration was delayed.*
- iii) *Due to no meter adjustment unit was charged to consumer as 16690 and 13352 units for Oct-2012 and Nov-2012 respectively.*
- iv) *Consumer paid the total bill on 24/11/2012 and approached to CGRF for excess charged units.*
- v) *Later in 2013, CGRF order was received to revise the bill from 10/10/2012 to 14/11/2012 for excess charged units.*
- vi) *From 14/11/2012 consumer has received all the bills as per reading only , but due to bill being not revised on time, consumer did not paid the for July-2013 which was as per reading.*
- vii) *And the rest bills from July-2013 only Current bills were paid, and increasing the arrears and interest on normal reading bills.*
- viii) *Now as per CGRF order, bill from 10/10/2012 to 14/11/2012 is revised and consumer is charged 5560 units and 7327 units for Oct-2012 and Nov-2012 respectively.*
- ix) *Final disputed revised bill is Rs.203679/- (credited to consumer via B-80), whereas no interest are to be revised, as consumer paid total bill on 24/11/2012 of amount Rs.4.56 lacs.*

5) We heard the arguments and gone through the record submitted by both parties. Previous order passed by forum vide. Grievance no.K/E/111/839 of 2013-2014 on date 29/07/2013. In which forum allowed the grievance and ordered to revise the bill, which remained non-complied till date.

Licensee revised the bill on 20/03/2019. Distribution Licensee issued provisional bills to consumer from Year-2013, which consumer paid till Mar-2017. Now Distribution Licensee claims

that supply of consumer is disconnected for non-payments of arrears. Consumer Representative contends that if Distribution Licensee would have corrected the bill timely then they could have paid the bills regularly without interest and DPC. We asked Distribution Licensee to present the calculation sheet considering that the bill correction is done in year 2013 only. Distribution Licensee submitted the sheet and as per this calculation sheet consumer remain in credit till Aug-2017. Means consumer paid regular bills till Aug-2017. After Aug-2017 consumer remain in arrears. Distribution Licensee has given part payment to consumer for payment of bills but the bill was not rectified.

6) Considering the above fact, we are of the opinion that Distribution Licensee should not charge interest and DPC for period 29/07/2013 (i.e. date of previous order) to Apr-2019 (i.e. date of this order). Distribution Licensee has already credited Rs.2,03,679/- and reconnected the supply hence no order to be passed in this regard.

7) As far as SOP is concerned, consumer has not made any application to Distribution Licensee as per provision of Regulation 12.2 of SOP regulation hence no SOP.

Hence the order

ORDER

- 1) The Grievance application is allowed.
- 2) Licensee to credit interest and DPC charged to consumer for period 29/07/2013 to order date of this grievance.
- 3) NO SOP
- 4) 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.