



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/DOS/104/1860 OF 2018-19

Date of registration : 27/03/2019

Date of order : 08/05/2019

Total days : 42

IN THE MATTER OF GRIEVANCE NO. K/DOS/104/1860 OF 2018-19 OF PREMALATA SHANKARLAL SONI, ROOM NO.B/201, SAI PALACE BUILDING NO.2, BEHIND VITHAL MANDIR, VALIV, VASAI (E), PIN CODE – 401 202 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

Premalata Shankarlal Soni,
Room No.B/201, Sai Palace Building No.2,
Behind Vithal Mandir, Valiv, Vasai (E),
Pin Code – 401 202

(Consumer No. 001843857058) . . . (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.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 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 Premalata Shankarlal Soni, Consumer No. 001843857058, at Vasai (E) is having residential connection. Contention of Consumer Representative is that, consumption recorded by meter was disproportionate to be supply used. From Jun-2018 Distribution Licensee started giving exorbitant consumption bills. Average consumption before Jun-2018 was 150 units/month. The load used is Fans-2, Tubes-2, fridge-1, TV-1 only. There was no action to revise bill by subdivision. Meter tested but meter testing report is doubtful. Payment is made intermittingly, despite supply disconnected on 20/03/2019 without giving notice. When new meter is fixed it has shown consumption of '164' units over a period of 1 month. Hence Consumer Representative requested to revise disputed bills to the normal consumption.

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/133 dt.27/03/2019 and emergent hearing was scheduled on 03/04/2019. During emergent hearing interim order passed for reconnection and decided to heard matter in next hearing. Distribution Licensee filed detailed reply on 02/05/2019.

4) Distribution Licensee in its reply contends that, consumer paid testing fees and meter tested in lab. As per meter testing report meter is O.K. and there is remark that not to revise bill. Even though the meter make is 'Flash', not all the meters are faulty. Only some series of meters are faulty. Consumer has given credit of Rs. 25590.28 in month of Nov-2018 hence there is no more scope for bill revision.

5) We heard the arguments and gone through the record submitted by both parties. From the CPL it is clear that consumer was getting regular bill to the tune of 100-200 units/month. From Jun-2018 onwards consumer received billed averagely 600-700 units/month till Jan-2019. After replacement of meter, consumer again received less bill. We had gone through the meter testing report, in remark column it is written that :

"While carrying out testing of the said meter, the reading recorded as compared to the RSS meter and the reading on the meter under test, is exactly equal. Hence the bill cannot be revised.

Further when supply is connected on meter it is display data disappears, therefore it is requested to replace meter on top priority."

The above remark is itself creating doubt. The consumption pattern of old meter before Jun-2018 and new meter after Feb-2019 is also not matching with disputed period consumption pattern, consumer connected load indicates that, consumer consumption can not to the tune of 600-700 units. In this situation it will be injustice to consumer if we allow Distribution Licensee to recover the bill for disputed period. Considering the above facts we are opined that, the bill for period Jun-2018 to Jan-2019 needs to be revised. For revision of bill Distribution Licensee to take average of previous 12 month healthy period i.e.from Jun-2017 to May-2018. The average to be applied for period of Jun-2018 to Jan-2019.

Hence the Order

ORDER

- 1) The Grievance application of consumer is hereby allowed.
- 2) Distribution Licensee to revise bill for period Jun-2018 to Jan-2019 as explained in para no.5.
- 3) 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.

