



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1579/1890 OF 2019-20

Date of registration : 06/05/2019

Date of order : 04/06/2019

Total days : 29

IN THE MATTER OF GRIEVANCE NO. K/E/1579/1890 OF 2019-20 OF SMT.SHOBHA BHAVSAR, MIDC, ULHASNAGAR -1, DIST. THANE, PIN CODE - 421 001 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Smt.Shobha Bhavsar,
MIDC, Ulhasnagar -1,
Dist. Thane, Pin Code - 421 001
(Consumer No.021518885593) . . . (Hereinafter referred as Consumer)
V/s.

Maharashtra State Electricity Distribution
Company Limited
Throughit'sNodal Officer/Addl.EE.
Kalyan Circle-II, Kalyan . . . (Hereinafter referred as Licensee)

Appearance : For Licensee - Shri. J.L.Borkar. AEE, Ulhasnagar-I 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) The Consumer herein Smt. Shobha Bhavsar having single phase Residential connection vide consumer no. 021518885593 at Ulhasnagar. Consumer contends that his meter was faulty since Mar-2018 but replaced on 17/12/2019. Bill to be revised as per regulation 15.4.1 for 3 months only and refund excess recovered bill with interest. Also SOP to be granted for mental and physical harassment.

3) Notice was given to Licensee vide letter no. EE/CGRF/Kalyan/206 dt. 06/05/2019 to which Licensee appeared and filed reply on 21/05/2019.

4) Distribution Licensee in its reply contends that, Assistant Engineer gave spot verification report on 17/12/2018 and reported that meter is faulty and submitted bill revision proposal. Consumer billed on faulty status from Sept-2018 to Nov-2018 as per '98' units/month. The bills are revised as per '75' units/month and amount of Rs.365/- credited in month of Dec-2018. Faulty meter replaced on 17/12/2018.

As per IGRC order minimum bill issued in month Aug-2018. Bill for month of Dec-2018 is revised as per '75' units. For both bill revision amount of Rs.610/- credited in month of Feb-2019. Hence consumer complaint is resolved and there is no more scope for bill revision.

5) We heard both sides and gone through the documents submitted. From CPL it is clear that consumer billed on faulty status from Aug-2018 to Dec-2018. Consumer first disputed on 03/10/2018 by giving application for meter replacement. Distribution Licensee replaced meter on 17/12/2018. Now the issue is application of supply code regulation 15.4.1. As per this regulation Distribution Licensee can adjust bill for a maximum period of three months prior to the month in which dispute has arisen. In this case dispute arose in month of Oct-2018 hence bill for three months prior to 03/10/2018 can be adjusted considering average for previous 12 months healthy consumption. All the bills are to be revised accordingly with refund from 03/10/2018 till 17/12/2018 i.e. the date of replacement of meter.

6) As far as SOP/compensation is concerned Distribution Licensee. Has already rectified the bill and consumer has not made any application of SOP within 60 days from cause of action in view of SOP regulation 12.2.

Hence the order

ORDER

- 1) The Grievance application of consumer is hereby allowed.
- 2) Regulation 15.4.1 be applied and the bills be adjusted for three months prior to 03/10/2018 and bills paid from 03/10/2018 till 17/12/2018, meter change date be refunded.

- 3) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 04/06/2019

(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.