



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
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**NO. K/E/1585/1903 of 2019-20**

Date of registration : 24/05/2019

Date of order : 19/06/2019

Total days : 26

**IN THE MATTER OF GRIEVANCE NO K/E/1585/1903 OF 2019-20 OF SHRI.ANANDRAM G. PAHILANI, BK NO.434, ROOM NO.12, ULHASNAGAR - 2, DIST.THANE, PIN CODE - 421 002 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.**

Shri.Anandram G. Pahilani,  
BK No.434, Room No.12,  
Ulhasnagar - 2, Dist.Thane,  
Pin Code - 421 002

(Consumer No. 021510262775) . . . (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.M.S.Gavali, AEE, Ulhasnagar-II, S/dn.

For Consumer - Shri.J.S.Rajput(C.R.)

[Coram- ShriA.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 Shri.Anandram G. Pahilani having Consumer No. 021510262775. Grievance is about faulty meter. Consumer gave a letter on 29/11/2018 but meter was not changed. Consumer therefore prays for applying 15.4.1 and refund the remaining bill amount recovered from him. He also claims SOP compensation as he had demanded the same from Distribution Licensee as per Regulation 62 (2).
- 3) Distribution Licensee in reply states that Distribution Licensee has received complaint application. On scrutiny of the application it was revealed from Feb-2018 to July-2018 average bills were issued at the rate of '400' units per month. In August-2018 average bills of '2800' units was issued, as the meter was faulty. Then on 03/10/2018 meter was replaced. Thereupon the bills for the prior from Feb-2018 to Aug-2018 were revised at the rate of '300' units per month. Consumer has been regularly paying the bills since Feb-2018.
- 4) Distribution Licensee further states that after the consumer gave application on 16/10/2018 the meter was immediately replaced in the same month. Hence faulty status bill have already been revised as per Regulation 15.4.1 and the Grievance has already been redressed.
- 5) We have heard both sides. There is no dispute that meter was defective. There is also no dispute that consumer made complaint about it on 09/07/2018 for the first time thereby raising the dispute about faulty meter. Thus 09/07/2018 is the date when the dispute arose. Meter was replaced on 03/10/2018. Thus by applying 15.4.1 the bills for three months prior to 09/07/2018 are to be adjusted. The question is of the bills date when dispute arose i.e. 09/07/2018 till meter replacement date i.e. 03/10/2018.
- 6) Distribution Licensee representative Mr.Gavali states that there was problem of availability of meter but it can not be accepted. 15.4.1 allows only bill adjustment on healthy period average basis only for three months prior to the date when dispute arisen i.e. 09/07/2018. The bills paid for the subsequent period i. .e. 09/07/2018 to 03/10/2018 have be refunded.
- 7) Consumer asks for SOP compensation. However in the application dated 09/07/2018 no SOP compensation is demanded for Distribution Licensee. It was demanded in the letter dated 29/11/2018. Consumer had requested to change the meter vide letter dt.09/07/2018. It was to be changed till the next cycle, so roughly is one month i.e. before 09/08/2018. Meter was changed on 03/10/2018. Consumer is entitled to SOP for the period from 09/08/2018 till 03/10/2018 at the rate of Rs.50/- per week

Hence the order

**ORDER**

- 1) The Grievance application of consumer is hereby partly allowed.
- 2) Distribution Licensee to revise the bill by adjusting for three months only prior to 09/07/2018 by applying Regulation 15.4.1.
- 3) Distribution Licensee to refund bills recovered for the period from 09/07/2018 to 03/10/2018.
- 4) Distribution Licensee to pay SOP Compensation at the rate of Rs.50/- per week from 09/08/2018 to 03/10/2018.
- 5) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 19/06/2019

(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, KeshavBldg, BandraKurlaComplex,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.

