



Consumer Grievance Redressal Forum, Kalyan Zone  
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**NO. K/DOS/89/1834 of 2018-19**

Date of registration : 06/03/2019

Date of order : 03/07/2019

Total days : 119

**IN THE MATTER OF GRIEVANCE NO. K/DOS/89/1834 OF 2018-19 OF INTEHAJ YESHTKAR KHAN, S.NO.07, H.NO.1, ASHTAVINAYAK NAGAR, SATIVALI, VASAI (E), TAL-VASAI, DIST. PALGHAR, PIN CODE- 401 203. REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.**

Intehaj Yeshtkar Khan,

S.No.07, H.No.1, Ashtavinayak Nagar,

Sativali, Vasai (E), Tal-Vasai, Dist.

Palghar, Pin Code- 401 203.

(Consumer No. 002170782065)

... (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution

Company Limited

Throughit'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 :-

The consumer Mr. Intehaj Yeshtkar Khan is having a workshop at Sativali, Vasai. Consumer stated that up to the month of March-2018 the bills were issued to him for minimum charges without taking actual reading. According to the consumer, this fact was brought to the notice of Vasai (E) S/dn. Office by him but no cognizance was taken by the concerned officer.

Consumer further stated that the electricity bill for the month of April-2018 for Rs.3,29,910/- against the '50078' units was issued to him. Consumer has asserted that this bill is of accumulated consumption of 22 months and hence could not pay it.

It is submitted by the consumer that no remedy has been provided by the Licensee to him till the filing of this grievance application. Consumer therefore approached CGRF and prayed that.

- i) Directions be issued to the Licensee to provide CPL.
- ii) Directions be issued to check reading report.
- iii) Meter be tested in the lab.

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/083 dt.06/03/2019 to which Licensee appeared and filed reply on 09/04/2019.

4) In the month of June 2016 consumers old meter was replaced with a new meter and consumer was billed on average basis of "0" units from June-2016 to April-2018. In the month of April-2018 the reading was available and recorded reading was/is 50081 kwh. Hence a bill of accumulated consumption of '50081' units for Rs.3,29,911.15 was issued to the consumer in the month of April-2018.

5) It is also pointed out by the Licensee that on receipt of complaint by the consumer necessary investigation was carried out. The supplementary bill issued to the consumer is for the period of 22 months according to the consumption from June-2016 to March-2018, made by the consumer.

6) Licensee also submitted that it has tested the meter in the testing lab which found within permissible limit.

Hence Licensee requested to reject the grievance of the consumer.

Having regard to all the facts and circumstances we are of the opinion that :

- i) The disputed bill computed for 22 months (i.e. from June-2016 to March-2018)
- ii) Consumer did not complain about inflated bill. He only complains about the periodical reading not taken by the Licensee and called for the details of consumption made by him, along with CPL.

- iii) During the hearing consumer stated that he does not wish to press his claim for meter testing from NABL, and prayed for 22 installments.
- iv) As per the MSEDCL circular consumer is entitled for 22 months equal installments.
- 7) Delay is due to consumer delayed to pay MSEDCL testing fees. Then insisted for NABL testing of meter and not paid the testing charge. Finally after laps of 2 months he refused to pay testing fees and demanded for installments.

Hence the order

**ORDER**

- 1) The Grievance application no.1834 is allowed.
- 2) Licensee is directed to allow the consumer to pay an amount and of Rs.3,29,910/- in 22 equal installments from date of assessment.
- 3) Licensee is directed not to levy and interest or DPC on this amount.
- 4) Consumer to pay these installments along with the current bill.
- 5) The amount already paid by the consumer will be adjusted against installments.
- 6) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 03/07/2019

(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.