



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/DOS/112/1871 OF 2018-19

Date of registration : 10/04/2019

Date of order : 03/07/2019

Total days : 84

IN THE MATTER OF GRIEVANCE NO. K/DOS/112/1871 OF 2018-19 OF MR VIKKY P AHIRE, S.NO.09, H.NO.3, WALIV NAKA, VASAI (E), TAL-VASAI, DIST. PALGHAR, PIN CODE- 401 202 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

Mr Vikky P Ahire,
S.No.09, H.No.3, Waliv Naka,
Vasai (E), Tal-Vasai, Dist. Palghar,
Pin Code- 401 202
(Consumer No. 001840318555) . . . (Hereinafter referred as Consumer)
V/s.

Maharashtra State Electricity Distribution
Company Limited
Throughit'sNodal 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) Consumer herein Mr Vikky P. Ahire having residential connection vide consumer no. 001840318555 at Vasai (E). the main contention of consumer is that, he has received exorbitant bills for period June-2018 to Mar-2019. Consumer suspects that the meter is faulty. Connection disconnected without giving notice. Bill for month of Mar-2019 is Rs.45,180/- which consumer can't afford to pay. Consumer demands reconnection of supply on payment of Rs. 5,000/- reconnection charges testing of meter, CPL to be provided, revision of bills based on actual load in use/testing result.

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/152 dt.10/04/2019 to which Licensee appeared and filed reply on 15/04/2019.

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

i) *It is stated that consumer has filed 1st complaint on 04/04/2019 regarding exorbitant bill to MSEDCL and thereafter on 10/04/2019 immediately file complaint before CGRF. As per Reg.6.2 of MERC (CGRF and E.O.) regulation 2006 it is mandatory for consumer approach to IGRC and if grievance is not resolved within 60 days from date of complaint to IGRC or if he is disagree with the decision of IGRC then only he can approach CGRF. The above procedure is mandatory, complaint file without this mandatory procedure is liable to be dismissed. There is no thread of disconnection, or non notice of disconnection is issued MSEDCL. Hence, this case does not covered under exception provided under this regulation. Hence this case shall be dismissed being file without mandatory procedure.*

ii) *That, as per request of consumer is dated 04/04/2019 for testing of meter. The consumer is liable to pay testing fee of Rs.200. the quotation of which consumer shall collect from this office. The load consumer and usage of consumer has been verified on dtd.13/04/2019 the copy of spot inspection report attached herewith. In spot Inspection consumer is found in of luxurious supply using 2 AC, 1 TV etc. hence as per load consumer consumption is oblivious. The bill of Nov-2018 is for consumption of 2 months. Previous average month bill '720' units has been adjusted in bill of Nov-2018. The CPL of consumer attach herewith which shows average consumption of '500' unit per month. As such billing of consumer is legal and proper. Hence case is liable to be dismissed.*

5) During the hearing instruction was given to Distribution Licensee to test the meter Distribution Licensee tested meter, which is kept on record, the testing report shows that meter is O.K. and found within permissible limit. Consumer Representative objected meter testing and demanded to test the meter at NABL lab. Distribution Licensee agreed for the same and issued quotation for the same which consumer failed to pay. Later consumer refuse to test the meter and demanded installment for payment of bill.

6) We had gone through the documents kept on record and heard arguments. Only the issue to be redressed is grant of installments. We have gone through the CPL from which it is found that consumer never paid his bills regularly. Consumer is paying his bills at the interval of 4-5 months from June-2018 consumer paid bill on 28/07/2018, 20/10/2018 and 09/02/2019. As far as billing is concerned consumer has billed regularly as per reading only and the bills are carried forward, hence we cannot grant installment to the consumer. This is not an accumulated bill due to fault of Distribution Licensee.

7) Delay is due to late meter testing by Distribution Licensee. Consumer also avoided to pay NABL meter testing fees and finally refused to test the meter which consumed lot of time.

Hence the order

ORDER

The Grievance application hereby rejected.

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, 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.