



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1586/1904 of 2019-20

Date of registration : 24/05/2019

Date of order : 03/07/2019

Total days : 40

IN THE MATTER OF GRIEVANCE NO. K/E/1586/1904 OF 2019-20 OF SMT.KANTA DAYALDAS LOKWANI, OPP. RADHA SWAMI SATSANG HALL, FOLLOWER LINE, ULHASNAGAR-3, DIST. THANE, PIN CODE – 421 003 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Smt.Kanta Dayaldas Lokwani,
Opp. Radha Swami Satsang Hall,
Follower Line, Ulhasnagar-3,
Dist. Thane, Pin Code – 421 003
(Consumer No. 021510782604) . . . (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-III, 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 is one Smt.Kanta Dayaldas Lokwani having Consumer No. 021510782604. Grievance is that meter was faulty since April-2018. It was changed in June-2018. In July-2018 '1500' units were shown and bills were recovered.
- 3) Consumer further states that complaint was given before IGRC on 06/12/2018. Then on 05/07/2018 consumer made applications to Consumers Facilitation Centers. Therefore consumer prays that 15.4.1 be applied and bills be revised and excess refunded. Also claims SOP as it was demanded within 60 days before Distribution Licensee.
- 4) Distribution Licensee in reply contends that consumer's meter had become no display in April-2018. Consumer was issued within average bills as per company's rules. The load of the consumer is 50 HP and company did not have a meter of that capacity. Hence consumer was billed on average basis from April-2018 to June-2018 and in July-2018 the meter was replaced.
- 5) Distribution Licensee further states that as per application given by consumer to Distribution Licensee bills have already been revised as per Regulation 15.4.1 of supply code and after doing B-80 relief has been granted to the satisfaction of the consumer and the consumer has accepted and paid the revised bill.
- 6) We have heard both sides it appears that meter was defective since April-2018. Load was 50 HP, consumer was billed on average basis and he paid the bills. He raised the dispute only 7th July-2018. Hence Regulation 15.4.1 is to be applied for adjusting bills for three months prior to July-2018 i.e. April, May and June-2018. Distribution Licensee has not given details as to whether they have adjusted the bills for three months viz April, May and June-2018 that too with the help of average bills for 12 months healthy period. That being so it is necessary to make an the order accordingly with direction to Distribution Licensee to apply Regulation 15.4.1 accordingly if not already done so.

Hence the order

ORDER

- 1) The Grievance application of consumer is hereby allowed.
- 2) Distribution Licensee to revise the bills by adjusting bills for three months viz. April, May and June-2018, with the help of average bill for 12 months from April-2017 to Mar-2018, if not already done so.

- 3) Compliance is 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, BandraKurla 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.