



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax - 2210707, E-mail : cgrfkalyan@mahadiscom.in

NO. K/DOS/126/1906 OF 2019-20

Date of registration : 04/06/2019

Date of order : 10/07/2019

Total days : 36

IN THE MATTER OF GRIEVANCE NO. K/DOS/126/1906 OF 2019-20 OF MR.SANTOSHKUMAR A.MISHRA, FLAT NO.205, SAI SIDDHI APT., OPP. MANGALMURTI APT., NALASOPARA (E), TAL - VASAI, DIST. PALGHAR, PIN - 401 209 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

Mr.Santoshkumar A.Mishra,
Flat No.205, Sai Siddhi Apt.,
Opp. Mangalmurti Apt.,
Nalasopara (E), Tal - Vasai, Dist.
Palghar, Pin - 401 209

(Consumer No. 001907350068) . . . (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.Mahesh Rathod, AE, Nalasopara (E) S/dn.

For Consumer - Shri.Ramchandra Pandey (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 Mr.Santoshkumar A.Mishra having consumer no. 001907350068. Grievance is that consumer did not get proper bill since prior to July-2018 but consumer paid bills online. Last payment was made in April-2019. MSEDCL issued credit bill of Rs. 170/- in Sept-2018. Consumer mostly resides in Andheri as such user of electricity from the connection is very little.

3) Consumer further submits that on 1st June 2019 he found that permanent disconnection was done of which no notice was given at all. Even reconnection charges were recovered illegally.

4) Consumer prays for restoration electricity supply. Bill revision in view of final reading '594' units as per P.D. report dt. 1st June 2019 and compensation.

5) Distribution Licensee in reply states that supply was disconnected on 26/03/2019 for no payment of energy bill since Jan-2019. Thereafter consumer paid energy bill on 26/03/2019 online but did not produce receipt at the section office.

6) On 06/06/2019 consumer gave application to sub division to revise the bill, the office revised bill as per reading in credit Rs.35/- meter was reconnected on 06/06/2019.

7) We have heard both sides. Now that reconnection has been done, bill is also revised question remains is only regarding compensation.

8) Admittedly bill was paid on 26/03/2019 but connection was not made till 06/06/2019. Distribution Licensee contends that though bill was paid online, receipt was not produced before section officer along with reconnection receipt. The reason assigned has to be considered vis-a-vis the fact that consumer did not make any grievance of reconnection for almost three months. In normal course consumer would not wait this long once he pay the bill. So there appears to be some other reason for not getting reconnection done. Even otherwise after payment of the bills how does Distribution Licensee know that consumer wants reconnection until consumer asks for it. There may be a case of consumer not wanting to get the reconnection. It is not that after repayment in spite of request for reconnection the same was not done.

9) There is another point of disconnection without notice. Distribution Licensee has not dispute the said allegation. Moreover it is not that bill was correct. It had to revised later. That being so even though there is nothing specific provided in law for violation of 56 (1) for want of notice, at least Distribution Licensee cannot levy reconnection charges.

10) Mr. Pandey submitted that he wants to rely on a judgment, ruling that in case of disconnection without notice compensation can be awarded. It is in Rev. petition no.3850 of 2008

before the national consumer's Disputes Redressal Forum. We have studied the facts therein as compared to those before us.

Hence the order

ORDER

- 1) The Grievance application of consumer is hereby partly allowed.
- 2) The Grievance is redressed.
- 3) Distribution Licensee to pay Rs.1,000/- by way of compensation to consumer for disconnection without notice.
- 4) Compliance is made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 10/07/2019

(Mrs.S.A.Jamdar)
Member
CGRF, Kalyan

(A.P.Deshmukh)
Member Secretary
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.

