



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1589/1909 of 2019-20

Date of registration : 11/06/2019

Date of order : 17/07/2019

Total days : 36

IN THE MATTER OF GRIEVANCE NO. K/E/1589/1909 OF 2019-20 OF SHRI HEMANT LEKHRAJ ISRANI, A/202, VISHAL APARTMENT, GOAL MAIDAN, NEAR NIRANKARI HALL, ULHASNAGAR-1, DIST. THANE, PIN CODE 421 001 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri. Hemant Lekhraj Israni,
A/202, Vishal Apartment,
Goal Maidan, Near Nirankari
Hall, Ulhasnagar-1, Dist. Thane,
Pin Code 421 001

(Consumer No. 021510441165) . . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution
Company Limited
Throughit's Nodal Officer/Addl.EE.
Kalyan Circle-II, Kalyan

. . . (Hereinafter referred as Licensee)

Appearance : For Licensee - 1) Shri. J.L.Borkar. AEE, Ulhasnagar-I S/dn.
2) Shri.Murgan, LDC, Ulhasnagar-I 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 Shri. Hemant Lekhraj Israni having Consumer No. 021510441165. Grievance is that meter was faulty but was not changed as per regulations. Readings are not taken for long time. Consumer gave applications on 15/11/2018, 06/12/2018, 29/05/2018, 12/04/2018 but no action was taken. Hence 15.4.1 be applied and excess paid be refunded.

3) Distribution Licensee in reply states that they did receive the application of the consumer dated 15/11/2018 and they changed the meter on 06/03/2019. Reason given for the delay is non availability of meters.

4) We have heard both sides. It is not is dispute that the meter was faulty. Further that it was intimated by consumer to Distribution Licensee about it on 15/11/2018. That being so 15.4.1 straight away applies. The meter was faulty and dispute arose on 15/11/2018 as such Distribution Licensee can recover the bills for the three month prior to 15/11/2018 at the rate of average of 12 months previous period. The bills recovered for period form 15/11/2018 till 06/03/2019 has to be refunded. Non availability of meter cannot help Distribution Licensee on this point.

Hence the order

ORDER

- 1) The Grievance application of consumer is hereby allowed.
- 2) Distribution Licensee to apply 15.4.1 on the date when dispute arose i.e.15/11/2018 and the bills may be adjusted for three months prior to 15/11/2018 at the rate of average bills for 12 month of previous healthy period.
- 3) Distribution Licensee to refund recovery of bills for the period from 15/11/2018 to 06/03/2019 along with interest at RBI rate from the date of recovery till realization by consumer.
- 4) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 17/07/2019

(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.