



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1592/1916 of 2019-20

Date of registration : 14/06/2019

Date of order : 17/07/2019

Total days : 33

IN THE MATTER OF GRIEVANCE NO. K/E/1592/1916 OF 2019-20 OF SHRI.RAJKUMAR R.KHEROLIYA, BK 1327, OPP.DATTATRAY VYAMSHALA, WALMIK NAGAR,ULHASNAGAR-4, DIST. THANE, PIN - 421 004 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri.Rajkumar R.Kheroliya,
BK 1327, Opp.Dattatray Vyamshala,
Walmik Nagar,Ulhasnagar-4,
Dist. Thane, Pin - 421 004
(Consumer No. 021514818417) . . . (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.D.B.Kumbhare, AEE, Ulhasnagar - IV 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.Rajkumar R.Kheroliya having consumer no. 021514818417. Consumer states that his connection is dated 25/07/2014. The meter was montel company and it was faulty. Consumer states that there was no user of energy. He was therefore suggesting that meter be changed and minimum charges bills be issued. He also gave letter for the same but no action was taken. Thereafter When consumer came to stay in the said premises and gave application for the same on 23/05/2019, Distribution Licensee issued bills for Rs.55,773/- without user and threat of disconnection was given.

3) Consumer further states that. Application was given on 30/11/2015 about faulty meter. But it was not changed and minimum bills were also not issued.

4) Distribution Licensee in reply contends that the meter was tested on 28/06/2019 and found to be in permissible limit. The reading was '127'. On the display a message is seen as OPEN Tag, as such the meter appears to be suspicious. No display is seen unless load is given.

5) Distribution Licensee further states that on 18/06/2019 Asst.Engineer visited the premises at that time serial no. was seen on the display. He suspected that the meter was running. Hence he took photographs. Consumer's son on enquiry told that they have been staying there for 5 years hence average bills was issued at '110' units per month for the period from March-2016 to April-2019.

6) We have heard both sides. Whatever be the contentions of Distribution Licensee, One thing is absolutely clear that the bill issued does not pertain to energy consumed. Only on average basis bill is issued for the period from March-2016 to April-2019 mere allegation that the meter in suspicious or mere doubt that meter might be tempered dose not make out any point for Distribution Licensee. There is no case of section 126 or 135 as per I.E. Act is alleged or filed. It has been all along the case of the consumer that there was no user and consumer is ready to pay the minimum charges. Thus, at the most Distribution Licensee is entitled to minimum charges and bill for '127' units consumed as shown in the meter. Impugned bill cannot sustain. Even there is no possibility of calculating three months bills as per 15.4.1.

Hence the order

ORDER

- 1) The Grievance application of consumer is hereby allowed.
- 2) Impugned bill is quashed.

- 3) Compliance is 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.