



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1594/1921 of 2019-20

Date of registration : 26/06/2019

Date of order : 24/07/2019

Total days : 28

IN THE MATTER OF GRIEVANCE NO. K/E/1594/1921 OF 2019-20 OF SONAL JOSEPH D'CUNHA, 918 NIRMITI, BAMANBHAT, SANDOR, BANGLI NAKA, VASAI, PIN CODE - 401201 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Sonal Joseph D'Cunha,
918 Nirmity, Bamanbhat,
Sandor, Bangli Naka, Vasai,
Pin Code - 401201

(Consumer No. 001771269067) . . . (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. Nandkumar Waghmare, UDC, Vasai Nagari S/dn.

For Consumer - Sonal D'Cunha (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 Sonal Joseph D'Cunha is having residential connection at Vasai (E). The main contention of consumer is that, he is paying his monthly energy bill regularly. In month of Jan-2019 additional amount of Rs.18842.32 was added in the bill. Application was given to Executive Engineer on 29/12/2019 but even after repeated follow up no reply was given by him. Later Additional Executive Engineer explained that the bill was for period April-2017 to Nov-2017 period against average billing. Consumer further contends that disconnection notice issued is completely illegal. Consumer demands explanation for charges recovered for year 2017-18 in year 2018-19. Why Distribution Licensee took one year for assessment of previous year? Action be taken against defaulter staff.
- 3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/299 dt.26/06/2019 to which Licensee appeared and filed reply on 10/07/2019.
- 4) Distribution Licensee in it's reply contends that consumer was billed on average basis for period April-2017 to Nov-2017. In month of Dec-2017 meter reader had taken wrong reading from '2119' to '2369' for '258' units and consumer's previous average bill 9 months got credited in consumer bill. Actually consumer has to be billed from '9719' to '9999' i.e. '282' units and current reading '2369' hence total '2652' units but instead of that consumer billed for '258' units only. This recovery done in month of Jan-2019. Detailed calculation of meter overflow is already given to consumer in writing on 27/02/2019 as well as orally. Accordingly consumer has paid the charges. Action has already been taken on meter reading agency for wrong reading and work of meter reading from the agency is stopped. Bill issued to consumer is as per reading only hence cannot be revised.
- 5) We have gone through the documents submitted by both parties and have heard the arguments. After going through the CPL consumer was billed normal till Mar-2017. In month of Apr-2017 consumer was billed on average basis IR and FR reading '9717' with average of '252' units with R.N.T. status. Similarly consumer billed with same average till Nov-2017. In month of Dec-2017 consumer billed as per reading i.e. I.R. '2119' and F.R. '2369' for '250' units. Thereafter consumer was bill again as per reading only. In Dec-2017 consumer has credited with locked credit amount for Rs.14728.31 which is for period Apr-2017 to Nov-2017. From the circumstances it is clear that meter overflowed in the month of Apr-2017 and billed on average due to mistake of Distribution Licensee, the same mistake continued till Nov-2017 and In month of Dec-2017, to correct the reading Distribution Licensee entered F.R. correctly but again wrong I.R. fed to system which they agree in their reply. If for the sake of calculation we checked the average of disputed period with previous period in which it is observed that, average use of consumer for period of Apr-2017 to Dec-2017 is '294.5' units/month, whereas average monthly consumption for period Apr-2016 to Mar-2017 is '305.16' units hence it can be ascertained that the consumption for period Apr-2017 to Dec-2017 is correct as per reading and meter is overflowed. In this situation we feel that recovery done by Distribution Licensee is as per meter reading only and as per I.E. act 2003 section 56 (2) they are entitle to recover the unbilled charges up to 2 years.

As far as action against the defaulter, Distribution Licensee has already taken action against meter reading agency as mentioned in its reply, hence we cannot propose any further action.

In the given situation consumer could have been granted installments for payment of assessment bill but as the consumer has already paid the total energy bill hence nothing can be done on this front also.

Hence the order

ORDER

The Grievance application of consumer is hereby rejected.

Date: 24/07/2019

(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, 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.

