



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/DOS/132/1919 of 2019-20

Date of registration : 19/06/2019

Date of order : 28/08/2019

Total days : 70

IN THE MATTER OF GRIEVANCE NO. K/DOS/132/1919 OF 2019-20 OF MR.ABBAS AMIN, (USER-MR.DIPEN ASHOK PATEL) GALA NO.B.11, S.NO.35, OSIAN INDUSTRIAL ESTATE, DHUMAL NAGAR, WALIV, VASAI (E), DIST.PALGHAR, PIN – 401 202 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT DISCONNECTION OF SUPPLY.

Mr.Abbas Amin (User-Mr.Dipen Ashok Patel),
Gala No.B.11, S.No.35, Osian Industrial Estate,
Dhumal Nagar, Waliv, Vasai (E),
Dist.Palghar, Pin – 401 202

(Consumer No. 001840339242) . . . (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.V.M.Gokhale, AA, Vasai (E) S/dn.

For Consumer - Shri.Vasant Vaze (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.Abbas Amin having Industrial connection vide consumer no. 001840339242 at Vasai (E) main contention of consumer is that :-

That as up to the billing month of June – 2018, connected load was 20 HP with meter no.05515528 and billed accordingly. So no complaint as up to this bill. Vide order number 3402 dtd. 07/06/2018 addl. load of 45 HP was sanctioned bringing total load to 65 HP with MD 60 KVA. While connecting extra load in June -2018 itself, meter was replaced by a new one. But neither the entry of enhanced load nor the entry of new meter was fed to the system. This position was continued up to Sept- 2018 i.e. showing old meter no. 05515528 and old load of 20 HP.

In Oct-2018, new meter number 03427407 was appeared on the bill but no change in the load. Again in Nov-2018, the meter number appeared as X0681426. It means, the second meter was also replaced but no change in load. This position was continued up to April-2019 i.e. new meter number but old load of 20 HP only.

As for billing, the bills are issued as under,

<i>July 2018 – 1000 Units Avg. Rec</i>	<i>Oct 2018 – 4927 Units Avg</i>	<i>Jan 2019 - 7998 Units</i>
<i>Aug 2018 – 1000 Units Avg.</i>	<i>Nov 2018 – 5820 Units Avg</i>	<i>Feb 2019 - 0 Units</i>
<i>Sept 2018 – 0 Units Rec.</i>	<i>Dec 2018 – 15434 Units Rec</i>	<i>Mar 2019 – 8351 Units</i>
	<i>April 2019 – 7578 Units Rec</i>	

In short billing is not done in accordance with the consumption recorded by the meter and hence, needs to be regularized/revised.

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/295 dt.20/06/2019 to which Licensee appeared and filed reply on 26/06/2019, in which Licensee submitted that :

4) In its reply Distribution Licensee contends that on 01/06/2013 new 20 HP connection for Industrial category sanctioned. In month of Jul-2018 and Aug -2018 consumer billed on average of 1000 units/month. In the month Sept – 2018 consumer billed as per reading upto '24727' reading. Consumer meter no.'5515528' replaced on 07/08/2018 with reading '29654' and new meter installed with meter no. '3427407' with I.R. '1'. Consumer billed as per old meter consumption i.e.29654 - 24724 = 4927 units in month of Oct-2018.

In month of Nov-2018 this new installed meter (3427407) again replaced with F.R. ' 5821', due to load extensions new meter X0681426 installed with I.R.'1'. After that consumer is billed as per reading only. Bill for month of Jul-2018 and Aug-2018 will be revised as per minimum charges.

5) We have gone through the documents kept on record and heard the arguments. From the meter replacement report first meter was replaced on 07/08/2018 with F.R. ' 29654' and second

meter replaced in month of Oct-2018 with F.R. '5821' from CPL first meter effected in month of Oct-2018 and second meter effected in month Nov-2018. Consumer billed on average for month of Jul-2018 and Aug-2018. In month of Oct-2018 consumer billed on average with adjustment units of '4927' which is matching with meter F.R. In month of Nov-2018 consumer again billed with average with adjustment units of '5820', which is also matching with second meter F.R. From Dec-2018 onwards consumer billed as per reading only. Hence as far as billed units are concerned all billed units are correct except '2000' units billed in month of Jul and Aug-2018, which needs to be rectified.

6) Second issue is of load extension, as per CPL consumer extended load has not updated in the consumer bill till May-2019. During the hearing Distribution Licensee said that the load extension effected from the month of Jun-2019 to which consumer also agreed. Due to late updation of load, consumer unnecessarily billed with load penalty charges which is not correct. Distribution Licensee needs to rectify the error by updating load extension from next billing cycle after payment of load extension charges and refund the excess amount collected from consumer.

7) The delay is due to non appearance of Distribution Licensee for four consecutive hearings.

Hence the order

ORDER

- 1) The Grievance application of consumer is hereby partly allowed.
- 2) Distribution Licensee to revise the bill for month Jul-2018 and Aug -2018 as per min charges basis.
- 3) Distribution Licensee to revise the bills as per applicable tariff from next billing cycle after payment of load extension charges considering new load 65 HP and refund the excess collected amount if any with interest
- 4) Compliance is made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 28/08/2019

(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.