



Consumer Grievance Redressal Forum, Kalyan Zone  
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301  
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**NO. K/E/1598/1926 OF 2019-20**

Date of registration : 23/07/2019

Date of order : 28/08/2019

Total days : 36

**IN THE MATTER OF GRIEVANCE NO. K/E/1598/1926 OF 2019-20 OF M/S PARASMANI DEVELOPERS, SHOP NO.11, MAHALAXMI PLAZA, DAHANU ROAD, DIST.PALGHAR, PIN CODE – 401 602 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT SOP.**

M/s Parasmani Developers,  
Shop No.11, Mahalaxmi Plaza,  
Dahanu Road, Dist. Palghar,  
Pin Code – 401 602

(Consumer No. 005520102304) . . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution  
Company Limited

Through it's Nodal Officer/Addl.EE.

Palghar Circle, Palghar

. . . (Hereinafter referred as Licensee)

Appearance : For Licensee - B.S.Dhodi, Dy.EE, Dahanu S/dn.

For Consumer - Shri.Narendra R.Patel (C.R.)

[Coram- ShriA.M.Garde-Chairperson and 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) The brief facts of the grievance applications are :

That the consumer has electricity connection for his shop situated at Mahalaxmi Plaza, Dahanu Road Dist. Palghar.

It has been stated by the consumer that power supply to his shop has been disconnected without statutory notice for almost 24 hours. Further that Licensee does not take meter reading and does not issue bills as per the meter reading in spite of several complaints.

3) Consumer also submitted that Licensee had issued a accumulated bill of Rs.36,140/- to the consumer in the month of May-2019 for the period of seven months. Consumer requested to the office of Licensee to furnish the details and reasons for charging the said amount in respect of past electricity consumption charges. However according to the consumer, Licensee did not furnish any intimation and on 20/02/2019 disconnected consumer's electricity supply without notice and was restored after almost 24 hours.

4) One more contention of the consumer is that, had the consumer be attended and explained his queries by the Licensee, consumer would have been saved from mental agony harassment and humiliation to which he had been subjected, during this period.

On this basis consumer has approached the forum and claimed for compensation.

5) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/330 dt.24/07/2019 to which Licensee appeared and filed reply on 06/08/2019

6) Licensee stated that the reading of the consumer's meter was not available during the period prior to March-2019. After noticing it, reading of the said connection was taken and provisional bill was issued to the consumer. However consumer has not paid the same hence supply was disconnected, but was restored. Licensee further stated that a credit has been given for earlier bill.

Licensee also submitted that considering the fact of accumulated bill for 7 months, Licensee has granted installments (Rs.5163 p.m.) to the consumer and had intimated to the consumer vide letter no. 0949 dtd.17 July – 2019, and has given credit Rs.3919/- to the consumer.

Along with the version Licensee filed CPL and other documents.

7) We have gone through the documents and the arguments made by both the parties. We have observed that :-

i) Letter dtd.22/04/2019 on record issued to the system analys clearly shows that the meter reading has not been accepted by the system and hence an accumulated bill has been issued in the month of May-2019 on average basis. Even at the time of argument Licensee has submitted this fact.

ii) Licensee has also admitted the fact that meter reading has not been taken prior to March-2019 by the agency. In the month of April-2019 meter reading was taken and a provisional

bill was issued. Which shows that Licensee has not followed the provision of 7.2 laid down by Hon'ble MERC though meter has been installed at an easily accessible place. Provision **7.2 reads as under :- MAHARASHTRA ELECTRICITY REGULATORY COMMISSION (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2014**

**7.2 The Distribution Licensee shall carry out the reading of consumers meter at least once in every three months in case of agricultural consumers and at least once in every two months for all other consumers.**

**Provided that in case, for any reason, the Distribution Licensee fails to carry out the meter reading during a billing cycle, the Distribution Licensee shall prepare and provide a provisional bill to the consumer, based on the average consumption of last three billing cycles wherein the meter readings were carried out.**

**Provided further that normally provisional billing shall not continue for more than two billing cycles at a stretch. The amount paid as per the provisional bill shall be adjusted against the bill raised on the basis of actual meter reading during subsequent billing cycles.**

In this case provisional bill was issued to the consumer for 7 months.

We have also observed that grievance of the consumer regarding accumulated bill arose in may-2019, and consumer has filed it's claim in IGRC on 17 May-2019 hence consumer is entitled for compensation, for not taking timely reading as per the provisions of 7.2 of MERC.

However we are unable to agree with the contention of consumer for compensation in view of disconnection without notice as no actual loss has been submitted by the consumer.

Regarding the contention of consumer that Licensee has not provided/furnished details/reasons for charging the amount of accumulated bill, Licensee is directed furnish the details to consumer and co. op. with the consumer.

Taking into consideration all the above facts we pass the following order.

Hence the order

### **ORDER**

- 1) The Grievance application of consumer is hereby partly allowed.
- 2) Licensee is directed to workout SOP, as per Appendix A – 8 (i) and give it to the consumer.
- 3) Licensee to revise the disputed bill and to give 7 equal installments to the consumer towards the accumulated bill, without DPC and interest.
- 4) Consumer to pay these installments along with the current bill.
- 5) Licensee to deduct the amount already paid by consumer.

- 6) Licensee to refund the reconnection charges to the consumer if charged and recovered.
- 7) Compliance be 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.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.