



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in

NO. K/E/1600/1929 of 2019-20

Date of registration : 06/08/2019

Date of order : 11/09/2019

Total days : 36

IN THE MATTER OF GRIEVANCE NO. K/E/1600/1929 OF 2019-20 OF MR.SUNIL UPADHYAY, FLAT NO.604, DEEPAK PARADISE, NEAR MUTHA COLLEGE, UMBARDE, ADHARWADI, KALYAN (W), PIN CODE – 421 301 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Mr.Sunil Upadhyay,
Flat No.604, Deepak Paradise,
Near Mutha College, Umbarde,
Adharwadi, Kalyan (W), Pin – 421 301
(Consumer No. 020370024317) . . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution
Company Limited
Throughit'sNodal Officer/Addl.EE.
Kalyan Circle – I, Kalyan . . . (Hereinafter referred as Licensee)

Appearance : For Licensee - 1) Shri.C.G.Meshran, AEE, Kalyan (W) S/dn.
2) Shri.U.J.Bhoir, UDC, AEE, Kalyan (W) S/dn.

For Consumer - Mr.Sunil Upadhyay (C.R.)

[Coram- Shri.A.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 Mr.Sunil Upadhyay having consumer no. 020370024317 (LT). Grievance is of excessive billing. That there was no meter reading for years and heavy bill was issued in Dec-2018 in particular a bill for Rs.1.4 lac was issued in Dec-2018. He was told that readings were not taken for two months.

3) Consumer complains that he has been wrongly charged on average at '467' units per month. Bills were revised twice. How they were sent without verifying.

4) Consumer further complaints that the ground workers have removed his meter thrice leaving his parents and himself without supply. He had to complain every time to reinstate the same which caused him immense mental and physical torture. And also to his parents. Consumer complains how come reading was not taken for 22 months whose fault was that etc.

5) **Distribution Licensee in reply states as under :-**

i) *With respect to the above subject, the said consumer had applied regarding high bill complaint vide under reference no.1 on checking the billing records of the consumer no. 020370024317/1 Mr, Sunil R.Upadhy., it was found that the consumer supply date was 30/10/2014 was billing with "0" units average consumption from May-2017 to Nov-2018 onwards. When the bills were issued for "0" units this office has not received any complaint regarding low bill from consumer end. The consumer was using electricity supply regularly as consumption trend '467' units per month.*

ii) *While scrutinizing the record and CPL, it appears that the meter reading agency has not taken proper reading of this meter and the average bills for '27' & '0' units per month were issued. After taking the actual reading of this meter, the bill of accumulated '9340' units for 20 months for Rs.142492.75 was included in the Electricity bill for the month Jan-2019, by taking '467' units as average consumption per month.*

iii) *After receipt of consumer application, the testing of meter test was conducted. After considering the meter test report and CPL, the competent authority has decided to revise consumer energy bill. Hence, your bill from May-2017 to Dec-2018 has been revised by taking '467' units as consumer average consumption per month, which comes to Rs.77,151/- for the 20 months by giving lock credit amount Rs.6,339/-*

iv) *As per IGRC order vide ref no. SE/KCK-I/IGRC/59/2019-20/No.01253 dt.13/05/2019 comes to conclusion that, as meter is working within permissible limit there is no scope revised electricity bill and also licensee is directed to give slab wise benefit reading. The same should be revised as*

slab benefit from month of May-2017 to Dec-2018 total '9340' units in 20 months ID No. 9840709 of credit Rs.52820.37 with effect in the month Feb-2019. Bill revision reports attached here with for your ready reference. So consumer current bill in month of August-2019 of Rs. 1,17,400/- this office issued disconnection notice of consumer vide ref no.7 for due to none payment of energy bill, consumer last date of payment is dt.13/06/2018 and tilled date consumer not paid to MSEDCL against energy bill.

6) We have heard both sides. This is a case of excessive billing in the month of Dec-2018. Distribution Licensee explains that reading was not taken regularly and properly by the agency. They have already taken action against them Distribution Licensee further explain that meter has been tested in presence of consumer and it was found Ok. Consumer does not wish to contest the said position nor did he ask for retesting etc.

7) In the above scenario when the meter is found Ok and consumer does not dispute it there is no reason not to pay bills. Consumer tried to show some fluctuations in the CPL in units consumed. It was rightly countered by the Distribution Licensee, that there can be various factors responsible for the same, like user of A.C. in particular season, faulty appliances. As we see that there can be several reasons which Distribution Licensee is not able to know or monitor. For some period the family may be away and there is no or few days of user. So merely because there are fluctuations that alone can sustain the complaint of the consumer when meter is not faulty.

8) There are some general allegation like twice meters were changed but no dates are given no complaints were made then and there Distribution Licensee explains that once meter was changed as per company circular as the Rolex meter were defective and had to be changed all over. There are also some general allegations of mental and physical torture.

9) So far as accumulated bill for 22 months is concerned some relief of installments can be granted to consumer also relief from interest and DPC can be granted.

Hence the order

ORDER

- 1) The Grievance application of consumer is hereby partly allowed.
- 2) Distribution Licensee to grant to the consumer 22 monthly installments for the accumulated arrears and without interest and DPC.

- 3) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 11/09/2019

Sd/-
(Mrs.S.A.Jamdar)
Member
CGRF, Kalyan

Sd/-
(A.P.Deshmukh)
Member Secretary
CGRF, Kalyan

Sd/-
(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.