



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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NO. K/E/1621/1959 of 2019-20

Date of registration : 07/10/2019

Date of order : 02/12/2019

Total days : 56

IN THE MATTER OF GRIEVANCE NO.K/E/1621/1959 OF 2019-20 OF SHRI.HITESH R.JOSHI, 3 GRINDLAYS COURT W.P. WARDE RD. OFF GURU NANAK RD. BANDRA (W), MUMBAI – 400 050.REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT FAULTY METER.

Shri.Hitesh R. Joshi,
3 Grindlays Court W.P. Warde Rd. Off
Guru Nanak Rd. Bandra (W),
Mumbai – 400 050

(Consumer No.001681569118, LT-Res.)

... (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution
Company Limited
Through it'sNodal Officer/Addl.EE.
Vasai Circle, Vasai

... (Hereinafter referred as Licensee)

Appearance : For Licensee - Shri.K.B.Zarkar, AEE, Nalasopara (W)

For Consumer - Shri.Hitesh R.Joshi(C.R.)

[Coram- Shri.A.P.Bhavthankar-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) The brief facts of the grievance applications are :

The consumer Shri.Hitesh R. Joshi residing at 3 Grind lays Court W.P. Warde Rd. Off. Guru Nanak Rd. Bandra (W) having Consumer No.001681569118 has filed this grievance application for refund against excess billing due to faulty meter during the period from Mar-2019 to May-2019 and also for the details of bill revision/adjustment made by Licensee if any.

Consumer submitted that his meter no.06504998396 was showing faulty status from Mar-2019 to May-2019 and also in the month of Aug-2018 and Sept-2018. Consumer stated that he made several complaints regarding the faulty meter and requested to test the meter as he was receiving inflated bills. Consumer made lot of correspondence with Licensee in this connection but no response was given by the Licensee.

Consumer further submitted that in the month of Oct-2018 consumer received an exorbitant bill of '4375' units showing meter status as normal. This bill was revised by Licensee but Licensee has not provided details of levy and reversal of the bill. On number of representation being made by the consumer this bill revision was made by the Licensee.

Consumer also sought details of bills and payments during last 3 years but no response is still given by the Licensee. Another grievance of the consumer is that the consumption shown for the month of Mar-2019 to May-2019 is '340' units each month is also on higher side.

One more grievance of the consumer is that though his consumption falls within existing security deposit of Rs.3,270/- Licensee has demanded to pay the additional security deposit of Rs.4,710/- and Hence he has paid additional Rs.1,730/-- which made his total security deposit of Rs. 5,000/- consumer asked for refund of the excess amount collected by him by the Licensee towards Security deposit. For all the above, consumer approached IGRC but he did not receive any satisfactory reply from IGRC.

Consumer therefore approached forum with the following request.

- i) To test the meter.
- ii) To refund the excess amount paid towards the period of Mar-2019 to May-2019.
- iii) To provide details of earlier refund adjustment.

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/412 dt.10/10/2019 to which Licensee appeared and filed reply on 18/11/2019.

4) Licensee submitted that from May-2018 to Sept-2018 the bills were issued to the consumer under faulty status. In the month of Oct-2018 the bill issued to the consumer as per reading of '2689' units. The units under faulty status were deducted from the bill of Oct-2018 (Showing '2689' units) and a credit of 32111.95 has been given to the consumer. Licensee further stated that the effect of this B-80 has been reflected in the month of April-2019 even according to the Licensee the interest amount levied on the consumer by mistake has been reflected in the month of May-2019 by giving credit of Rs.908.85.

It is also submitted by the Licensee that in the month of Mar-2019 to May-2019 consumer received electricity bills under faulty status however these bills are also rectified. It is also

contended by the Licensee, that the amount of security deposit charged to the consumer has also been rectified.

According to the Licensee all the information sought by the consumer has been provided to the consumer on his Nalasopara address and on his E-mail. Moreover the meter of the consumer is O.K. hence it has not been replaced.

5) We have gone through the submission made by both the parties and have also gone through the documents placed on record.

We have noticed that the document pertaining to bill revision report and CPL show that all necessary debit/credit is carried out for refunding wrongly charged units pertaining to meter no. 6504998396.

Further debit/credit is also carried out for refunding interest wrongly levied amounting to Rs.908.85. These adjustments carried out by Licensee are reflecting in the month of April -2019 and May-2019. Considering the documents on record it appears that Licensee has correctly charged the electric bill and given credit to the consumer.

We have also observed that the excess amount collected by Licensee towards security deposit amounting Rs.1730/- has been adjusted against the S.D. account of consumer.

Documents on record also showed that the unit consumption for the month of March, April and May-2019 were 340 units each which is not as per reading, however against these bills only April-2019 bill is revised by Licensee showing consumption of '155' units as per reading. Bill for the month of Mar-2019 and May-2019 needs to be revised as per reading.

6) Taking into consideration all the above points it appears that Licensee has correctly charged the electric bill and given credit to the consumer except Mar-2019 and Mar-2019 bill. However for getting the disputed bills rectified record shows that, consumer was compelled to make a continuous follow-up with the Licensee. Consumer had to make many complaints on Licensee's app. Hence we think it will be proper to direct Licensee to give compensation to the consumer. Licensee is also directed to revised the bill for month of Mar-2019 and May-2019 as per reading and refund excess to the consumer for wrongly charged units and excess paid. If S.D. is excess than the average monthly bill amount then excess S.D. to be adjusted in next issuing bill.

In view of the above observation we pass the following order.

Hence the order

ORDER

- 1) The Grievance application no. 1959 is hereby partly allowed.
- 2) Licensee to revise bill for month Mar-2019 and Mar-2019 as per reading.
- 3) Licensee to Waive off interest and DPC on wrongly charged bill.
- 4) Licensee to adjust excess S.D. collected to the next ensuing bill.
- 5) Licensee is directed to pay Rs.500/- to the towards compensation.

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

Date: 02/12/2019

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

Sd/-
(A.P.Bhavthankar)
Chairperson
CGRF, Kalyan

Sd/-
(A.P.Deshmukh)
Member Secretary
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.