

**Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup**

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/

Date :

Case No. 137

Hearing Dt. 04/08/2007 & 18/09/2007

In the matter of bill revision

Shri Kishor D. Sankhe

- Applicant

Vs.

MSEDCL, Wagle Estate, Thane

- Opponent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri S.L. Kulkarni, Chairman, CGRF, Bhandup.
- 2) Shri S.B. Wahane, Member Secretary, CGRF, Bhandup.
- 3) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

B - On behalf of Appellant

- 1) Shri Kishor D. Sankhe

C - On behalf of Respondent

- 1) Shri Petkar, Ex.Engr., Wagle Estate, Thane
- 2) Shri Sorate, Dy. E.E., MSEDCL, Wagle Estate, Thane

PREAMBLE :

The consumer registered his grievance with this Forum on 1st August 2007 vide case No. 137. The first hearing was taken on 04/08/2007 for interim order as per request of the consumer. However, the request was not granted since utility pointed out that the appellant had not paid the regular bills for nearly two years. As per Electricity Act 2003.

The next dates of hearing fixed on 21/08/2007 & 10/09/2007 had to be postponed on the request of the appellant first due to serious health problem of his father and subsequently the death. Final hearing was held on 18/09/2007. This is the reason of non-observance of prescribed time limit for the decision of the case.

The consumer had approached ICGR Cell, Thane for redressal of bills grievance. The ICGR Cell after hearing the consumer and utility directed the consumer to pay the bill arrears as mentioned by utility. Aggrieved with this decision, consumer approached this Forum on 1st August 2007.

CONSUMER'S SAY :

The consumer is staying at Shivai Nagar, Thane having consumer number 000011576290. He is residing at above address from 2000. He had given the complaint on 09/12/2002 to the utility explaining that the energy meter fixed for his premises is running fast and was getting incorrect bill. As per utility's request, he paid the prescribed meter testing charges but no action was taken by utility official upto Feb-2004. Subsequently his meter was changed in Feb-2004. But there was no change in the previous bill and hence on 12/11/2006, he requested utility office at Shivai Nagar to test his old meter. However, he was replied that the old meter was not available with them for testing. After that he followed the matter with Ex.Engr., Wagle Estate Division. Even after his instructions, no cognizance is taken by utility till date. His electric supply was disconnected by the utility on 29/03/2007. He paid Rs. 20,000/- as a part payment to the utility as

per their advice and his power supply was reconnected on 30/03/2007. The utility has charged him Rs. 20,727/- as interest on bill arrears from 2002. This is not justifiable on the ground that he has been pursuing his complaint of his defective (fast) meter for a long period for which no cognizance has been taken and he was charged exorbitant bills with interest.

His request is to waive the interest on the arrears of energy bill of his old meter from 2000.

UTILITY SAY :

It is true that the appellant consumer had complained to them on 09/12/2002 regarding fast working of the meter and had also paid the testing fee on 11/12/2002. Accordingly the meter was replaced with new tested meter. No record of testing of old meter is available with them. However, the consumption pattern the old and new meter is more or less similar.

OBSERVATIONS

- 1) Even though the consumer had complained about the defective meter and paid the testing fee on 11/12/2002 the utility replaced the said meter after 14 months i.e. in the month of Feb-2004, which is not justified.
- 2) Even after replacement of the meter in the month of Feb-2004, the testing of that meter is either not carried out or if carried out no report/record is available with the utility. They were pursued by CGRF for nearly a fortnight for relevant/record, however they expressed inability to produce the same.
- 3) Thus there is clearly a lapse on the part of utility staff/officials with regard to consumer's complaint and hence utility should take action to fix the responsibility on the concerned staff/officials. The consumer also deserves some relief, which he is seeking for waiver of interest. It is observed that on the plea of settlement of the complaint by the utility the consumer is not paying the regular bills to the utility

and therefore the interest on bill arrears are increasing. Therefore his request for total waiver of interest does not justify.

- 4) This can be worked out by comparing the
- (a) Consumption pattern from July-2002 to May-2003 and
 - (b) Consumption pattern from May-2004 to March-2005. This period has been considered by taking into account a period of 6 months prior and after consumer's complaint and second period is considered 12 months after the meter replacement.
- Consumption units as per part (a) above = 4777 units
Consumption units as per part (b) above = 4202 units
i.e. a-b = 575 units.

575 units recorded more in old meter for 12 months, which means 575 divided by 12 = 48 units rounding to 50 units.

- 5) The relief to the consumer about the working of the old meter considered to be 50 units/month from July 2002 up to meter replacement i.e. Feb-2004 along with interest and DPC part thereof is admissible.

ORDER

- 1) The relief should be given as mentioned in paragraphs 4 & 5 of the above observations.
- 2) Utility to fix the responsibility on the concerned for not testing the meter in time and submitting the checking report.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 16th of October 2007.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman
The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051.

2) If utility is not satisfied with order, it may go in appeal before the Hon. High Court within 60 days from receipt of the order.

MRS. M.P. DATAR
MEMBER
CGRF, BHANDUP

S.B. WAHANE
MEMBER SECRETARY
CGRF, BHANDUP

S.L. KULKARNI
CHAIRMAN
CGRF, BHANDUP

**CONSUMER GRIEVANCE REDRESAL FOURM
MAHARASHTRA STATE DISTRIBUTION COMPANY LTD**

Ph. No. 25664314
25664316

REF.NO. Secretary/CGRF/MSDCL/BNDUZ/Case No. 137/

Consumer Grievance Redresal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078.□

To

Shri Kishor D. Sankhe,
A/204, Ravi Estate,
Shastri Nagar,
Thane (W) – 400 606.

SUB : Registration of your grievances dtd. 01/08/2007.

Dear Sir,

The grievance submitted by you is registered to this Forum vide Sr. No. 137, dtd. 01/08/2007 & hearing date is fixed on 21/08/2007 at 12.00 hrs. at the office of the Consumer Grievance Redressal Forum, Vidyut, Ground Floor, LBS Marg, Bhandup, Mumbai -78.

Therefore, it is requested to attend the hearing on the above date alongwith documents in support of your grievance. In case of failure to attend the hearing on the above date, this Forum shall decide the Grievance Ex-parte on merit which may please be noted.

Thanking you,

faithfully

Yours

SECRETARY

MSEDCL,

c.f.w.cs. to :

1. **The Executive Engineer (Office) i.e. Nodal Officer,**
C.G.I.R.C., Office of the Suptd. Engr.,
O&M Circle, **Thane**
2. **The Executive Engineer,**
O&M Divn., MSEDCL.,
Wagle Estate.

CGRF,

BHANDUP

-- He is requested to attend the hearing on the above date alongwith the concerned authority & the details of report related with the grievance of the consumer.

CONSUMER GRIEVANCE REDRESAL FOURM MAHARASHTRA STATE DISTRIBUTION COMPANY LTD

Ph. No. 25624315

25624316
25624322
To

Secretary/CGRF/MSDCL/BNDUZ/Case No. 137/

To

Consumer Grievance Redresal Forum

"Vidyut Bhavan", Gr. Floor,

L.B.S. Marg, Bhandup (W),

MUMBAI - 400 078. □

The Nodal Officer & Executive Engineer (Office)

Consumer Grievance Internal Redressal Unit,

Office of the Superintending Engineer,

MSEDCL., **THANE.**

SUB : Submission of point wise compliance
in respect of case No. 137.

As per MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulation 2006 vide clause No. 6.12, the copy of grievance registered at Sr. No. 137 is being forwarded to your office for submission of issue wise compliance. The hearing date of the case is fixed on dated 21/08/2007 at 12.00 hrs. However, the Nodal Officer shall act as the co-ordinator for filing the reply, making submission, providing issue wise comments on the grievance, submitting compliance status / reports etc. Therefore it is requested to submit point wise compliance to this Forum in respect of the case in consultation with concerned authority within 15 days from the date of issue of this letter or one week before the date of hearing which ever is earlier.

The copy of compliance should also be provided by you to the consumer before hearing.

**SECRETARY
CGRF, MSEDCL,
BHANDUP**

c.f.w.cs. to :

The Executive Engineer, O&M Dn. MSEDCL, Wagle Estate.

-- for needful action for submission of issue wise compliance & at attend the hearing along all the relevant documents related with the grievance.

**CONSUMER GRIEVANCE REDRESAL FOURM
MAHARASHTRA STATE DISTRIBUTION COMPANY LTD**

Ph. No. 25624315

Consumer Grievance Redresal Forum

25624316
25624322
Secretary/CGRF/MSDCL/BNDUZ/Case No. 137/

"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078.□
Date

Shri Kishor D. Sankhe,

-

Appellant

Vs

Executive Engineer, Wagle Estate, Thane

-

Respondent

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SECRETARY

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c.f.w.cs. to :

CGRF,

BHANDUP

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2. **The Executive Engineer,**
O&M Divn., MSEDCL.,
Wagle Estate.

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