

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

Ph. No. 25664314
25664316

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

REF.NO. Secretary/CGRF/MSDCL/BNDUZ/Case No. 140/

Date

To

Shri Dhairyadhar Janardhan Patil,
A/3/303, Om Chintamani Co.Op. HSG Society,
Old Badalapur Rd.,
Behind Dyanprasarani School
Kalwa (W), ***Thane - 400 605.***

SUB : Registration of your grievances dtd. 10/08/2007.

Dear Sir,

The grievance submitted by you is registered to this Forum vide Sr. No. 140, dtd. 10/08/2007 & hearing date is fixed on 29/08/2007 at 02.30 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,

Yours faithfully

**SECRETARY
CGRF, MSEDCL,
BHANDUP**

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.,
Kalwa.

-- 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**

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

REF.NO. Secretary/CGRF/MSDCL/BNDUZ/Case No. 140/

Date

To

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. 140.

As per MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulation 2006 vide clause No. 6.12, the copy of grievance registered at Sr. No. 140 is being forwarded to your office for submission of issue wise compliance. The hearing date of the case is fixed on dated 29/08/2007 at 02.30 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, Kalwa.

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

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

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

Date :

Case No. 140

Hearing Dt. 28/09/2007

In the matter of bill revision

Shri Dhairyadhar Janardhan Patil

- Appellant

Vs.

MSEDCL, Kalwa

- Respondent

Present during the hearing

A - On the 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 the behalf of Appellant

- 1) Shri Dhairyadhar Patil

C - On the behalf of Respondent

- 1) Shri D.D. Wale, Asstt. Accountant., MSEDCL, Kalwa.

Preamble :

The consumer registered his grievance with this Forum on 10th August 2007 vide case No. 140. The hearing date was fixed on 29/08/2007 at 02.30 PM. All the concerned were intimated to attend the hearing. Consumer was aggrieved with the decision of ICGRC given on 27th June 2007 vide order No. SE/THNUC/TS/ICGRC/3706 of case No. 03 Thane.

CONSUMER'S SAY :

Consumer was having flat No. A-303, OM Chintamani Co-Op. Hsg. Society Ltd., Old Belapur Road, Kalwa (W), Thane bearing consumer No. 00023073510. The consumer bought this above flat in May – 2003. He was getting electricity from common meter provided to the builder for building construction upto Nov-03. He got his own meter No. 9000347994 in the month of Nov-03.

But he got his first energy bill in the month of March 2004 with wrong meter number as 9003411341. The consumer orally pointed out this mistake to utility officials many times. He also requested the utility vide letter dtd. 30/09/2004 to issue him the energy bills with correct meter No. and reading.

As per the suggestion of Executive Engineer of concerned division he paid all the bills which he received with wrong meter number.

Inspite of Ex.Engr.'s promise to issue correct bills, he received the energy bills with different status as no meter, faulty or meter changed.

In Oct-2006 meter was tested as per request of the appellant. In the month of Nov-2006, he received the energy bill with correct meter No. amounting to Rs. 210/-. He paid the said bill in time.

But in the month of December 2006 he received an exorbitant bill amounting to Rs. 17,564/- with 5608 units which was shown as arrears. He did not agree with the arrears which was shown in energy bill of Dec-2006.

According to him although he was prompt in making payment of the bills, there was no reason for getting heavy arrears bill. Further, he came to reside in said premises in June-2006 due to his domestic difficulties. Prior to this he was merely visiting the premises to get the small interior work done. Thus there is no reason for excessive billing. This was merely because of negligence of utility officials and therefore action against them as provided in S.O.P. and E.A. 2003 be taken.

SAY OF THE UTILITY :

Utility did not submit their point wise compliance or any documents to CGRF with the sign of concerned Executive Engineer. They had sent only CPL and copy of grievance of the consumer which was received to them by CGRF only.

During the hearing they had simply sent a junior level officer (Asstt. Accountant) for the hearing. He admitted that the meter number was printed on the energy bills of the consumer which was not in existence. He stated that the

energy bills of Rs. 17,564/- which utility sent to the consumer in the month of Dec-2006 was a rectification of the earlier incorrect bill based on wrong meter feeding and was accumulated consumption for the period for Dec-2003 to Nov-2006 by the consumer.

The consumer had approached ICGRU, Thane Circle against that incorrect accumulated bill which ICGRU believed that the action of the utility to issue accumulated bill of Rs. 17,564/- was correct and the consumer has to pay it.

OBSERVATIONS

In the course of hearing of the appeal, the Forum asked the consumer to produce a proof, duly signed by the office bearers of Chintamani Co.Op, HSG. Soc. Ltd., Kalwa, Dist. Thane, certifying as to since when the appellant has been staying in the said housing society as an official member. The society vide reference No. 06 dtd. 26/09/2007 produced a letter addressed to Chairman, CGRF, Bhandup. The said letter clearly states that the said appellant Shri Dhairyadhar Patil is a registered member of the society and has been staying in the said premises that is room No. 303, 'A' wing from June 2006

The appellant has stated that due to the convenience of his children's education he with his family was staying with his brother and could shift to this society only in June-2006. He has intermittently visited the said premises but not actually staying there for getting carried out certain interior work into the premises and whatever small amount of electricity was consumed the bills were as low as below Rs. 75/- per month. Which he had paid to the utility.

On perusal of CPL it is seen that the meter is replaced in Nov-2006. The actual reading position from June-2006 (i.e. from the actual residence of the appellant with family) is as under :

<u>Months</u>		<u>Units Consumed</u>
June 2006	-	10
July 2006	-	10
August 2006	-	351
Sept 2006	-	144
Oct 2006	-	42
Nov 2006	-	7
Dec 2006	-	82

It is seen that the utility claims to replace the meter in the month of Nov-2006. However, it's effect was not given in official record of CPL which resulted into slapping whopping energy bill of 5608 units amounting to Rs. 17,567/-. This leads the Forum to believe that the correctness of the meter working (if believed to be replaced in Nov-2006) is doubtful. The meter replacement report could not be submitted by utility officials stating in the course of hearing, it is not available in their record . The whole matter appears quiet doubtful.

It is observed that or perusal of the consumption trend from CPL during the period July 2006 uptill now is about 150 units per month. Moreover the consumption shown in the bill of Dec-2006 of Rs. 17,830/- for 5608 units does not appear to be believable because of embezzlement as seen from putting on imaginary meter No. in the bill and hence need to be ignored.

ORDER

- 1) The consumer should be issued with monthly energy bill considering the monthly consumption of 150 units for a period of July 2006 to Dec 2006. The bill of Rs. 17,038/- should be cancelled and be replaced with consumption of 150 units.
- 2) The wrong meter No. was fed initially and also the consumer's complaint was not attended in time. Hence responsibility should be fixed against the staff for such negligence.
- 3) It is regretted to note that in this case the point wise compliance and relevant documents were not received both from Nodal Officer as also Executive Engineer, O&M Division, Kalwa. Also both the officers neither attended the hearing nor depute a sufficiently senior level conversant officer. Both these officer should note that in such cases they should be careful hereafter.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 5th 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. 25624315
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Consumer Grievance Redresal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078

REF.NO. Secretary/CGRF/MSDCL/BNDUZ/Case No. 140/

Date :

To

Shri Dhairyadhar Janardhan Patil,
A/3/303, Om Chintamani Co.Op. HSG Society,
Old Badalapur Rd.,
Behind Dyanprasarani School
Kalwa (W), **Thane - 400 605.**

SUB : Decision issued in respect of case No. 140.

Dear Sir,

In response to the grievance put up by you with the Forum vide case No. 140 dt. 10/08/2007 hearing is completed on dated 28/09/2007 & the order passed on vide this office order No. 00177 dtd.05/10/2007 is enclosed herewith for your information please.

Thanking you,

Yours faithfully,

Encl : As above

SECRETARY
CGRF, MSEDCL,
BHANDUP

c.s.w.r. to :

- 1) Chief Engineer (L.M.),
M.S.E.D.C.Ltd., H.O.,
Prakashgad, Bandra (E),
MUMBAI – 400 051.
- 2) The Chief Engineer, MSEDCL, BNDUZ, Bhandup.

Copy f.w.cs. to :

1. The Executive Engineer (Office) & Nodal Officer,
Consumer Grievance Internal Redressal Cell,
Office of the Superintending Engineer,
O&M Circle, MSEDCL, **Thane.**
2. The Executive Engineer, O&M Division, MSEDCL, **Kalwa.**