

\ (A Govt. of Maharashtra Undertaking)

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Consumer Grievance Redressal Forum

“Vidyut Bhavan”, Gr. Floor,

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

Mumbai – 400078.

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REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/120

Date: 18.07.2017

Case No. 145/2017

Hearing Dt.09/05/2017

**In the matter of defective meter and incorrect bill**

Shri. Chandrakant M. Patil

-

Appellant

(Consumer)

V/s.

Maharashtra State Electricity Distribution Co. Ltd. (MSEDCL)

Koperkhairane Sub Division

- Respondent

**Present during the hearing**

A - On behalf of CGRF, Bhandup

- 1) Shri. Anil P. Bhavthankar, Chairperson, CGRF, Bhandup.
- 2) Shri. R.S.Avhad, Member Secretary, CGRF, Bhandup.
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

**B - On behalf of Appellant**

Mr. Chandrakant Patil

- Consumer

**C - On behalf of Respondent**

Mrs. Swati Deshmukh, Assistant Accountant, Koperkhairane Sub Division.

**Consumer No. 0000227492422**

1. Above named consumer received bill in the month of November 2015 for calculated unit 2858 and in the month of December 2015, 1180 unit for amounting Rs. 42,850 & 14,320/-. After receiving the said bill consumer made application to respondent utility on 02.12.2015 for change of defective meter and issue correct bill as per reading thereafter on 02.03.2016 consumer made again application to respondent utility. During the said period of 3 months respondent utility disconnected supply temporary and thereafter the meter was check in the laboratory as per the report communicated to the consumer the meter was reported 'OK'. Consumer submitted that photo copy of the said meter reading which was communicated to the consumer from time to time recorded unit initially 06806 and 9664. According to consumer

they said meter reading was abnormal therefore consumer raised grievance was defective meter reading and the bill issued by the respondent utility between the period September 2015 to December 2015 required to be made corrected as per actual consumption. The interest and penalty charge against to the consumer charged claim to be waived off. Consumer also prays for reconnection without paying any charges.

2. Initially consumer made application in Schedule 'X' to IGRC and attached relevant copy of meter checking report ,data issue of meter testing report vide letter dated 05.12.2016 ,bill issued in the month of 05.01.2016, 11.12.2015, 21.10.2015,10.08.2015. After receiving the said complaint IGRC registered the Case No.106/2016-17 on dated 23.01.2016. Opportunity of hearing given to the consumer and representative. On dated 19.01.2017 IGRC pass order against the consumer dismiss his complaint and liability to pay the bill as demanded to be deposited by consumer.
3. Being aggrieved by the said order and judgment of IGRC consumer approach to this Forum and filed complaint in schedule 'A' consumer pray that the meter testing report was wrongly given to the consumer the bill issued between the period September 15, October 15 does not disclose proper reading. Since date of connection November 2009 the consumer claim average consumer of unit is 100 but in the month of November 15 and December 2015 the consumption used charged by the respondent utility to 2858 and 1118 for given wrongly. Consumer gave photo copy of the said meter reading and claim as per regulation 3 month average bill should be calculated and his bill should be corrected without charging any interest, DPC and penalty. After filing the said complaint case is registered vide no 145/2017 and notice was issued to the respondent utility by this office. At initial stage this forum proceeds to pass order interim stage 6417 directing utility to recover 50% of arrears of amount bill issued to the consumer and continue the supply. Thereafter respondent utility appeared and filed reply submitted that the actual bill photograph of the meter reading was produced by the respondent utility ,meter testing report and detail of unit used by the consumer is inform as per report dated 02.03.2016. Respondent utility submitted that the meter was not defective and the bill issued to the consumer was correct the difference by giving split of period benefit already given to the consumer and

therefore respondent utility Addl. Executive Engineer submitted that consumer complaint is liable to be dismissed with cost.

4. After perusing rival contention of consumer and the respondent utility following point arose for our consideration to which I have recorded by finding to the point further reason given below
  - I. Whether respondent utility issued bill in the month of November 2015 and December 2015 used unit to 2858 and 1118 amounting Rs.42,850/- and 14,320/- was legal valid and correct.
  - II. Whether consumer is entitled for benefit of average 3 months on basis of defective meter report.
  - III. Whether consumer is entitled for any relief?

#### **Reasoning**

5. I have given opportunity to the consumer and his representative at the time of hearing. The dispute of incorrect bill and accumulated meter reading recorded issued by the respondent utility is verified. It appears that during the period of dispute date of installation of meter November 2009. The consumer was receiving the bill was average consumption recorded 100 unit for sufficient long period till December 2015. Thereafter bill issued in the month of November 2015 calculating 2858 and in the month of December respondent utility issued bill for calculating unit 1118 for the amount 42,850/- and 14,320/-. After receiving the said bill consumer raised the dispute and made application to IGRC cell. After receiving the said complaint the respondent utility proceeded to take action on the report on the complaint. According to the utility the meter was tested in the laboratory the detail report of the meter testing submitted to the Forum of which report copy of the said report communicated to the consumer. Respondent utility also submitted photocopy of the said bill issued to the consumer they said reading actual recorded on the meter was also verified from the copy of CPL and other relevant document, copy of analysis the report also verified. The report of the meter testing lab dated 14.06.2016 was communicated to the consumer but the consumer dissatisfied with the report of meter testing lab no other explanatory satisfactory report filed by the consumer. The connecting load attachment to

the meter of the premises is 200 watt. The consumption which was communicated to consumer earlier period time to time was issued average bill of 100 unit at that time consumer remain silent and not raised any dispute. The dispute raised only in the month of November 2015 when actual meter reading unit consume by the occupant was communicated in the bill and charge was claim. It appears to this Forum that the meter testing report itself is reflected scientific method adopted by respondent utility official technically tested and verified by technical member. The error which analysis was within possible unit as report indicated the meter testing report found 'OK' and no abnormal reading instance was noted. In spite of the said analysis report communicated to the consumer but it was challenge by the consumer without any substance merely giving application to the Forum that consumer wanted to test the meter by central laboratory is not sufficient. The consumer not paid any reasonable charges or show any further inclined himself to proceed for central laboratory meter testing. Therefore I have no other option to accept the report submitted by utility which duly communicated to the consumer. From this dispute it is seen that consumer when receiving average consumption of unit 100 charge in the bill was never made any complaint. The connecting load is 1KW Sanction load is 1KW the connecting load verified and found same the average calculation of 1KW load cannot be average consumption of which was bill issued earlier to the consumer. Therefore this consumer was remaining under bill recovery on the basis of average consumption of 100 units which was regularly paid by him. Therefore under misconception consumer submitted that his average consumption was only 100 unit but actual unit recorded on the meter which was verified from the photograph submitted by utility is tallied. In this circumstances grievance made by this consumer is not substantiated there is no instance of abnormal meter reading was found .The consumer remain under bill for sufficient long period. I feel proper action taken against meter reading agency for this default accumulated bill claim in the month of November and the December 2015 is verified. The reply given by the respondent utility the split up difference of claiming average consumption actual unit already given to the consumer. In this circumstances grievance of excessive and incorrect bill cannot be sustained. Therefore I do not found any substance in the contention of

consumer that he is entitled for charging average 3 months meter reading consumption for settlement of his bill as meter reported not defective in absence of such report the contention of consumer cannot be accepted .The utility submitted that the average consumption of the consumer is verified from the chart the said consumption is below 300 units out of which consumer paid average consumption was already deducted. The benefit of split up difference already given to the consumer as such the bill already deposited by consumer against the said demand bill bearing of remaining unit actual reading receive from the photograph copy of the bill place before this Forum upon verification found the actual consumption charge in the bill is legal valid and proper and therefore consumer is liable to pay the said bill as per actual consumption recorded. I do not found any substance and therefore earlier interim order pass in favour of consumer stands dismiss. In result on final hearing the consumer filed to satisfy to this Forum any abnormality in meter reading testing laboratory report or miss calculation of exorbitant unit and therefore I am not inclined to grant any relief to the consumer. Hence the consumer complaint No. 145/2017 stands dismissed.

### **ORDER**

The consumer complaint 145/2017 is stands dismissed.

No order as to the cost.

Both the parties should be informed accordingly.

Proceeding close.

The compliance should be reported within 45 days.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, and Bhandup.

Note:

1) If Consumer is not satisfied with the decision, he may file representation within 60 days from the 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 file representation before the Hon. High Court within 60 days from receipt of the order.

(I Agree/Disagree)

(I Agree/Disagree)

**DR. ARCHANA SABNIS  
MEMBER  
CGRF, BHANDUP**

**ANIL P. BHAVTHANKAR  
CHAIRPERSON  
CGRF, BHANDUP**

**RAVINDRA S. AVHAD  
MEMBER SECRETARY  
CGRF, BHANDUP**