

(A Govt. of Maharashtra Undertaking)

CIN : U40109MH2005SGC153645

PHONE NO. : 25664314/25664316

FAX NO. 26470953

Email: cgrfbhandupz@gmail.com

Website: www.mahadiscom.in

Consumer Grievance Redressal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S.Marg,Bhandup (W),
Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/ 272

Date: 16.01.2018

Hearing Date: 02.01.2018

CASE NO. 51/2017

IN THE MATTER OF WRONG BILL CHARGED

Mr. P. Sangeesh Babu,

Flat No. 203, Ridhima CHS,

Plot no. F/90,Sector-12,

Kharghar, Vashi-410210.

(Consumer No. 0029470278348)

. . . . (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution Company Limited

through its Nodal

Officer,

Vashi Circle, Vashi

. . . . (Hereinafter referred as Licensee)

Appearance : For

Licensee

Shri. R.B.Budhwant, AEE, Kharghar Sub Division

For Consumer – Shri. Sangeesh Babu (consumer)

[Coram- Shri A.M. Garde- Chairperson, Shri. R.S.Avhad -Member Secretary

and Vacant - 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.

2. Short grievance of the consumer P. Sangeesh Babu, and Sandhya S, Flat No. 203, Ridhima CHS, Plot no. F/90, Sector-12, Kharghar, consumer No. 029470278348, is that the Rolex meter installed was burnt on 26th May 2017 while Lineman Mr. Bisle was repairing the loose D.P. connection. There upon the meter was replaced. Then on the basis of the average recording by the new meter, bills were charged retrospectively for the period from August 2016 to May 2017 which the consumer challenges.
3. There are several there contentions raised which are not very material.
4. MSEDCL in reply contends that Rolex meter of the consumer’s connection was replaced on 26th of May 2017 as it was burnt; the new HE meter Sr. No. 40466612 recorded an average consumption of 222 units/month for the period from June 2017 to November 2017. It is a well known fact that Rolex meter’s performance is not up to mark. It slows down after some period of installation. The average of the Rolex meter in this case is 57 units/month for the period from December 2016 to May 2017. Hence actual connected load of the consumer was verified on 25.05.2017 and 29.7.2017

and accordingly consumption is assessed and charged to the consumer from August. 2016 to May 2016.

5. It is the contention further that consumption of 280 units/month is worked out on the basis of spot inspection report dated 29.05.2017 and 29.7.2017.
6. We have heard both sides. As we see, the earlier Rolex meter of this consumer burnt on 26.5.2017 as such it was replaced on the same day. It shows that other meter was available according to consumer. That apart what we further see is charging is done on the basis of consumption recorded in the replaced meter retrospectively by average basis which is very difficult to understand. Installation of proper meter is the sole responsibility of the utility. If they have not done it properly they have to thank themselves. Consumer cannot be penalized for their fault by averaging retrospectively in the way done in the case. There is no provision shown nor any logic can be seen behind this.

Consumer succeeds. Hence, order.

ORDER

1. Consumption assessed and charged to the consumer for the period from August. 2016 to May 2017 on the basis of Inspection and verification action done on 29.05.2017 and 29.07.2017 is hereby quashed and set aside.
2. Refund be made, with interest at RBI rate, if the above bill has been recovered.

Both the parties should be informed accordingly.

The compliance should be report within one week.

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

**ANANT M. GARDE
CHAIRPERSON
CGRF, BHANDUP**

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