



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in

IN THE MATTER OF GRIEVANCE NO. K/E/564/665 OF 2011-2012 OF
SHRI PRAKASH G. GAWADE, KALYAN (WEST) REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT EXCESSIVE ENERGY BILL.

Shri Prakash G. Gawade
A – 2 / 602, Mangla Park
Khadak Pada,
Kalyan (West) : 421 301, Dist : Thane

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer
Kalyan West Sub-Division No. II

(Here-in-after
referred
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers. This regulation has been made by the

Maharashtra Electricity Regulatory Commission vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer is a L.T. consumer of the licensee. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on 05/01/2012 for Excessive Energy Bill.

The details are as follows :

Name of the consumer :- Shri Prakash G. Gawade

Address: - As given in the title

Consumer No : - 020024045715

Reason of dispute : Excessive Energy Bill

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/020 dated 05/01/2012 to Nodal Officer of licensee. The licensee filed reply vide letter No. DYEE/S-Dn.2/Kalyan(West)/Billing/194, dated 23/01/2012.
- 4) A hearing was held on 24/01/2012 @ 16.00 hrs. The Member Secretary and Member of the Forum heard both the parties in the meeting hall of the Forum's office. Shri Prakash Gawade consumer, & Shri Taiwade Nodal Officer, Shri Manoj Kadu, Asstt. Acctt. representatives of the licensee attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record.
- 5) The brief facts of the case are as follows :
- a) The consumer Shri Prakash Gawade having consumer No. 020024045715 filed this grievance application regarding faulty meter causing high electricity bills.
- b) In pursuance of the faulty meter the consumer approached to the licensee several times.

- c) In spite of repeated follow up with the licensee, licensee did not heed to his request.
- 6) The consumer therefore approached the Forum requesting to direct the licensee to give credit for the faulty meter causing high bills and to replace the faulty meter.
- 7) Notice was issued to the licensee who appeared and submit their say as under :
 - a) Meter No 173805 was installed at the premises of Shri Prakash Gawade.
 - b) Billing on Meter No 173805 was as per actual meter reading till the date of replacement i.e. December 2011.
 - c) As per consumer's complaint for high billing the said meter was tested on 29/09/2011 at site and found 100% fast.
 - d) As per the meter testing report No. 567, dt. 11/11/2011 the same was replaced in December 2011.
 - e) The net credit of Rs. 7,318.72 will be reflected in the month of February 2012 in consumer's electricity bill.
 - f) As per the meter testing report meter found abnormally fast from April 2011 hence the revised bill of Rs. 3092.35 was issued to the consumer as per the consumption of new meter.
 - g) The CPL of new meter shows the consumption of 90 units per month. Accordingly the consumer has been charged from April 2011 to December 2011 i.e. for 09 months and a revised bill of Rs. 3,092.35 has been issued to the consumer (90 units per month x 9 months = 810 units) which will be reflected in the bill of consumer for the month of February 2012.
 - h) The consumer contents about abnormal high rise in consumption of electricity started from April 2011.

- i) The consumer has raised the said grievance about high rise in consumption of electricity units vide letters dated 27/09/11 and 01/11/11.
- j) In response to the said letters the licensee tested the said meter at site on 29/09/2011 and replaced the same with the new meter on December 2011.
- k) The old meter No 173805 was found to be fast by 100%.
- l) The licensee has amended the electricity bills for 09 months i.e. from April 2011 to December 2011 i.e. from the date of defective meter to date of replacement of the meter by giving credit of Rs. 7,318.72.
- 8) However, we feel that licensee is under obligation to revise the bill of consumer as per Clause No. 15.4.1 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations, 2005 which reads as follows :

“Subject to the provisions of Part XII and Part XIV of the Act, in case of a defective meter, the amount of the consumer’s bill shall be adjusted, **for a maximum period of three months prior to the month in which the dispute has arisen,** in accordance with the results of the test taken subject to furnishing the test report of the meter alongwith the assessed bill ;

Provided that in case of defective meter, the assessment shall be carried out as per Clause 15.4.1 above.

- 9) Taking into consideration the above provision the licensee is under obligation to amend / revise the amount of consumer’s bill for the maximum period of three months only, prior to the month in which the dispute has arisen.
- 10) In view of the above we pass the following order :

ORDER

- 1) Grievance application is partly allowed.
- 2) Licensee is directed to revise the bill of the consumer in respect of the defective meter No. 173805 as per Clause No. 15.4.1 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations, 2005 and adjust the excess amount paid by the consumer in the next issuing bill.
- 3) Compliance be reported to the Forum within 45 days from the date of issue of this order.
- 4) The consumer 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”.

- 5) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or 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”

Date : 27/02/2012

(Mrs. S.A. Jamdar)
Member
CGRF Kalyan

(R.V. Shivdas)
Member Secretary
CGRF Kalyan