



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No.K/E/893/1091 of 2015-16

Date of Grievance : 25/05/2015

Date of Order : 29/06/2015

Total days : 35

IN THE MATTER OF GRIEVANCE NO. K/E/893/1091 OF 2015-16 IN RESPECT OF MRS. GAURISHA GOURISHA G. NANDKARNI, SHREE SHANTADURGA NIWAS, H. NO.955, DAHIVALI, NERAL (W) REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING BILLING DISPUTE.

Gourisha G.Nadkarni,
Shree Shantadurga Niwas,
H. No.955, Dahivali,
Neral (W)
(Consumer No.026590311838)

..... (Hereafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Nodal Officer,
MSEDCL, Pen Circle,

.... (Hereinafter referred as Licensee)

Appearance : For Consumer – consumer's representative.
For Licensee – Shri- Nodal Officer.

(Per Shri C.U.Patil – Executive Engineer-Cum-Chairperson)

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. {Hereinafter referred as 'Supply Code' for the sake of brevity}. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2014.' Hereinafter referred 'SOP' for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014'.

Consumer residing at House No. 955, in front of Maruti Mandir, Dahivli, Neral (W) is having MSEDCL's single phase residential supply bearing consumer No.026590311838 approached to IGRC for her billing dispute. IGRC registered her application dated 27/3/2015, conducted the hearing on 17/4/2015 and passed order for rectification of the wrong bill.

Being not satisfied with the implementation of IGRC order by concerned MSEDCL billing Officers, consumer approached to CGRF by submitting application in form 'A' dated 25/5/2015. The application was registered allotting No. K/E/893/1091/2015-16 dated 25/5/2015. The letter for hearing was issued to the Nodal Officer of Pen Circle accordingly vide letter No.179 dated 25/5/2015 with copy to the consumer and scheduled the hearing on 10/06/2015 on 13:00 hours. Both parties i.e. Officers of the Licensee and consumer attended and contended as below.....

Consumer's Grievance:-

1] MSEDCL has issued bills without noting meter reading from last six months and issued the bill for 91 units though reading in the meter was showing only 17 units. She expected relief, in bill rectification as per the readings and consumption recorded in the meter.

2] Consumer submitted that she has received the bill for the month of December 2014 by showing past reading 5535 and current reading as faulty and bill on average basis by applying 49 units. Consumer paid amount of December 2014 bill on 9/1/2015.

3] Consumer received the next bill for January 2015 for the same disputed meter i.e. 6914768, showing in the bill past reading as 5535 and current reading as faulty. The January 2015 bill for 125 units was received on average basis. Consumer again approached to Asst. Engineer, Neral, II Section who manually entered the final reading of meter No.6914768 as 5656, in the current reading column and corrected bill with difference of units, considering the past reading as 5535 and given bill for 72 units, which was paid by consumer on 11/2/2015. The third and next bill in the billing month of February 2015 was received, now with new replaced meter bearing Sr. No. 751238649, showing past reading as 01 and the current reading as 17 and thus difference 16 units plus adjustment of 121 units were added and the bill of 137 units was issued.

Consumer again approached to the Licensee who manually corrected it by correcting adjustment units as 75 instead of 121 and adding 16 units which is as per metered consumption and accordingly bill of 91 units was handed over to the consumer, who further paid it on 10/3/2015.

4] Consumer was not satisfied with the corrections made in her bill for the month of January 2015 and February 2015. She was doubtful that correct quantum of units to be credited during rectification were not considered and some excess units are billed and paid by her are yet to be credited

Licensee's submission:

The IGRC of Pen Circle in their order issued letter no. 1378 dated 17/4/2015 clarifies that the wrong bills have been issued to the consumer and mentioned in their order that the corrected bills should be given immediately.

On the above lines of the IGRC order, the LR agreed that the meter bearing Sr. No. 6914768 was actually not faulty. Hence they corrected the wrong bills issued with faulty status by giving proper B-80 adjustments which is elaborated in their reply submitted vide letter AP/Karjat/Technical /1851/dt. 9/6/2015. The contents of the letter are reproduced below:-

After replacement Old faulty Meter (On Record) it is found that Meter was showing reading & the F.R. was 5656.

Nov.14-Normal reading Bill was PR-5487 CR-5535
& the difference Unit in F.R. & Normal reading
 $5656 \text{ (FR.)} - 5535 \text{ (Normal Reading Bil Nov.14)} = 121 \text{ Unit.}$

Feb-2015 bil was 137 unit adjustment unit 121 &
New Meter Reading 1 to 17 = 16 unit $121 + 16 = 137 \text{ Unit}$

Considering faulty unit paid bills Dec.14 unit 49 & Jan.2015-125 unit

Bill is corrected/Revised by giving credit – Rs.329.00 in March 2015 &
Rs.404.00 in May 2015.

Now May-2015 Bill is as per up to reading 189 amounting Rs.870/-
which is correct.

Forum's observation:

It is clear and as also submitted by Licensee, that meter bearing Sr. No. 96914768 was not faulty and this meter recorded Final Reading as 5656 up to its replacement on 11/2/2015. Hence it is clear that there is no question of dealing with faulty meter or billing on average basis to that account.

Hence, it is also clear that the bills should be given to the consumer considering the meter consumption only, i.e. consumption recorded in previous meter bearing Sr. No.96914768 and that in the new meter replaced on 11/2/2015 bearing Sr. No.12386409. Consumer contended that actual meter replacement date

is 1/2/2015. However, both the dates are getting covered in the billing cycle of the same month which is Feb-15 and it is not affecting to the billing of the consumer in any way as the quantum of the fixed charges included in bill remains the same and not getting affected to the consumer. Hence, at present we do not wish to go in these details.

Hence, it is crystal clear that the consumer should be billed by considering only the metered consumption. **The billing done by MSEDCL for the month of December 2014 and January, February 2015 through IT generated system is 49 units, 125 units and 137 units respectively and the summation of these IT billed units is total 311 units.** After manual corrections made by MSEDCL Officials in these IT generated bills, consumer received the bills for these three months showing the units consumed as 49 units, 72 units and 91 units (Total 212 units) respectively. The consumer paid all these three bills in the respective months, i.e. on 9/1/2015, 11/2/2015 and on 10/3/2015 respectively.

Before considering the merits of the submissions made by both the parties, it would be appropriate to look into the summation of units recorded by the first meter (96914768) till it's replacement on 01/02/2015. The previous reading of this meter is shown as 5535 units in the billing month of Dec-14. The final reading i.e. 5656 units, recorded by the same meter is already reflected in Licensee's reply dated 9/6/2015 and in the bill of Jan-15 which is manually corrected by them after approaching the consumer. **This reading difference, which comes to 121 units should be considered for the billing by MSEDCL on account of first meter.**

We have also gathered facts from the record that second meter (12386409) was installed on 1/2/2015 and it's initial reading 001 and reading taken on 15/2/2015 as 0017 units are reflected in the bill of Feb-15. . **This reading**

difference, which comes to 16 units should be considered now for the billing by MSEDCL on account of second meter.

The summation of above mentioned unit difference, i.e. 121 units + 16 units is coming to 137 units and it is very clear that only these much units should be billed to the consumer for the period of three months covering Dec-14, Jan-15 and Feb-15.

MSEDCL representative presented the credit B-80 which they considered in the consumer's account. For bill revision period of Feb-15, they had credited Rs.329/- against some 53 units and for bill revision period of April-15, they had given the credit of Rs.350/- against some 75 units. **The credited units seems fishy.** No doubt, they rectified the bills twice, but the summation of the credit value adjusted by them should match to 311 units (-) 137 units = 174 units. The B-80 considered by them are showing the credit for only 53 units (+) 75 units as contended by them = 158 units.

MSEDCL Officials should first confirm the quantum of units considered in their B-80 calculations. In March-15, they are showing credit of 53 units and in May-15, credit against 75 units is reflected. After correct assessment of the credited B-80 units, these credited units should be subtracted from the actual units to be credited (174 units).

Accordingly, the bill amount paid by consumer for such excess units should be adjusted in her ensuing bill.

Hence the order.

ORDER

The grievance application of the consumer is allowed.

MSEDCL is directed to confirm the quantum of units considered in their B-80 calculations in the months of March-15 and May-15. After proper assessment of the credited B-80 units, the sum of these credited units should be

subtracted from the actual units 174 units to be credited. If the credit given considering 53 & 75 units is correctly evaluated, then credit of balance 46 units will require to be considered & accordingly bill should be revised. The excess amount paid by the consumer to that effect should be adjusted in her ensuing bill.

Compliance of this order should be reported to this Forum within 45 days.

Date: 29/6/2015

I agree

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

(Chandrashekhar U.Patil)
Chairperson-cum- Member Secretary
CGRF,Kalyan

NOTE: -

- a) The consumer if not satisfied, 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”.

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

- c) 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”

