



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph.- 2210707 & 2328283 Ext:- 122

IN THE MATTER OF GRIEVANCE NO. K/E/040/0046 OF
05-06 OF SHRI SHRIKANT M. WAIGANAKAR WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN
ZONE, KALYAN ABOUT EXCESS BILLING.

Shri. Shrikant M. Waingankar
Chirag Apartment, Building No. 305
Road, Dombivli (E)
Pin- 421 201

Here in after
referred to
Phadke
as consumer

Versus

Maharashtra State Electricity Board, through its
after
Dombivli Sub-Division I
Dombivli (E)

(Here in
referred to
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under regulation of “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Commission vide powers confirmed 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 L.T. consumer of the licensee connected to their 415-volt network. The grievance was registered by forum on 16/12/2005. The details are as follows.
Name of Consumer:- Shri Shrikant M. Waigankar is in possession of residential premises in building No. 305, Chirag Apartment, Phadke Road, Dombivli (E) Pin 421 201 but the electricity bill stands in the name of Shri Shah Suresh Manilala
Consumer No.:- 020012019123
Details of grievance: - The consumption recorded on meter No. 90058233 is excessive as compared to trend of past consumption.
- 3) The batch of papers containing above grievance was sent by forum vide letter No. 0390 dated 17/12/2005 to Nodal Officer of licensee. The letter, however, remained unreplied.

- 4) Two members of forum heard both the parties on 2/01/06 in the meeting hall of the forum's office. Shri S.M. Waigankar, represented consumer. Shri N.L.H. Rao Nodal Officer and Shri U.S. Lele Junior Engineer, represented licensee.
- 5) Shri Waigankar disputed the accuracy of electronic meter no. 90058233 installed at his premises by licensee on 27/04/2002. He said that this meter had shown exorbitant bill as compared to trend of his past consumption. He further said that on a complaint made by him to licensee on 22/09/2003, Junior Engineer Dombivli (E) had put a remark on 24/11/2003 on his application as follows.

Make of meter: - Elymar 5-30 Amp, K-2426 date 11/02/2002, Present reading:- 09445 dated 22/11/2003.

Meter seems to be doubtful and faulty.
- 6) Shri Waingankar also doubted the laboratory test report dated 2/03/2004 showing above meter within permissible limit of error as it was signed by Sub-Engineer on 7/10/2005 i.e. after approximately a gap of 19 months of testing of meter.
- 7) Shri Rao and Lele could not give any convincing reply for the above lapse. It was then decided, as per request of consumer, to test the meter on 5/01/2006 in the laboratory.
- 8) The meter was tested on 5/01/2006 in the testing laboratory of licensee at Kalyan in presence of Shri Lele Junior Engineer of licensee and his staff, Shri Waigankar and all

three members of the forum and the results obtained are given in table below.

Meter details: -

Make: Elymar, **Capacity:** 5-30 Amp, **Serial No.** 580233, **Type:** SM 101, **Meter condition:** Ok, **Meter body seal:** Two seals provided by manufacturer were found intact. One seal provided by licensee in February 2002 at the time of issuing meter for installing at consumer's premises was also found intact.

Test Result: -

Primary load current: - 28 Amp, **Power factor:** - 0.9 lag, **Primary voltages:** -240 volts.

Test	kWH	Consumption on accu check meter
Reading after test	09795.7	1.001 kWH
Reading before test	09794.7	
Difference	1.00	

Percentage error of meter $= (1.00 - 1.001) / 1.001 * 100 = -0.0999\%$ fast.

In test meter was found to be within permissible limit of error.

9) Now point of decision before the forum is

- i) Was meter No. 58233 in service, at consumer's premises during the period from 27/04/2002 to the date of replacement in November 2003, defective?
- ii) If yes, whether assessment by forum is necessary?

Replies of the above questions are: -

- i) No
- ii) Question does not arise.

The contention of consumer mentioned in para 5 that the meter is showing abnormal consumption as compared to his past trend of consumption in no way takes us to conclusion that the meter during service at consumer's premises was defective. The reading on meter is conclusive proof of the

quantity of energy supplied to the consumer. If for no fault of consumer or the licensee a meter has ceased to be correct for any reason whatsoever, the rights & liabilities of both consumer & licensee cannot remain unsettled for any period beyond what is permitted by law in force. Only for that limited period the readings on the meter cannot be taken as conclusive proof of energy supplied to the consumer. In the present case meter had not ceased to be correct during its service on the installation of the consumer. The question of assessment of energy by forum, therefore, does not arise.

- 10) The entire position narrated above leads us to conclusion that action of licensee of preparing bills as per meter

readings, when meter cannot be proved to be faulty & was recording correct consumption is faultless & cannot be reversed. The question of considering any other data and parameter does not arise as long as meter was recording correct consumption.

- 11) After carefully studying the entire development of the episode & thereafter summarizing it, the forum has unanimously reached to a final conclusion to pass the following order for taking further action.

O-R-D-E-R

1. The forum does not find any valid reason to interfere with the bill prepared by licensee for the period from 27/04/2002 to the date of replacement of meter in November 2003 and sent to consumer as per consumption recorded by meter No. 58233. The action of the licensee is upheld.
2. Consumer can file appeal against this decision with the Ombudsman at the following address.
Maharashtra Electricity Regulatory Commission, 606/608,
Keshav Building, Bandra Kurla Complex, Mumbai 51
Appeal can be filed within 60 days from the date of order.

Date: - 6/01/2006 Licensee

(V.V.Kelkar)

Member

person

CGRF Kalyan

(I.Q.Najam)

Chair

CGRF Kalyan

(J.P.Soni)

Member Secretary

CGRF Kalyan