



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/553/652 OF 2011-2012 OF
SHRI PRAKASH K. KUNDNANI REGISTERED WITH CONSUMER
GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT
EXCESSIVE ENERGY BILL .

Shri Prakash K. Kundnani
A – 32, Madhurmilan
Flat No. 502, Goal Maidan
Ulhasnagar – 421 001

} (Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer Ulhasnagar
Sub-Division No. I

} (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 29/11/2011 for Excessive Energy Bill.

The details are as follows :

Name of the consumer :- Shri Prakash K. Kundnani

Address: - As given in the title

Consumer No : - 021510696091

Reason of dispute : Excessive Energy Bill

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/687 dated 29/11/2011 to Nodal Officer of licensee. The licensee filed reply vide letter No. SE/KCK-II/Tech/5850, dated 29/12/2011.
- 4) Hearing was held on 02/01/2012 @ 15.30 hrs. The Member Secretary and Member of the Forum heard both the parties in the meeting hall of the Forum's office. Shri Mintu Hanspal and Shri Mulchand Jethwani Consumer Representatives & Shri Kale Nodal Officer, Shri V. H. Kasal, Asstt. Engr., Shri P. H. Machiye, Dy. Ex. Engr. 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 complaint are as follows :
The complainant / consumer was having meter No. **09336560** had applied to the licensee to revise his excess bills.
- 6) Accordingly his meter was tested at the testing lab. of Testing Division Kalyan and as per the report dated 18/06/2011 the following observations were made by Executive Engineer Testing Division – II, Kalyan.
 - (a) The meter is showing ‘Tamper’ message on display when it is powered on and starts giving KWH pulse output even under ‘No Load Condition’. The meter therefore is showing erratic behavior and hence could not be tested any further for accuracy requirements as per IS.
 - (b) MRI data retrieved from the meter is analyzed for verification of abnormal events. It is observed that the ‘Magnetic Tamper’ event is logged on dated 16/03/2011 at 10.38 hrs.
- 7) The consumer moved I.G.R. Cell. I.G.R. Cell in it's order noted that :
 - (a) The meter of consumer is tested on 23/03/2011 at meter testing lab of Ulhasnagar – I Division. As per testing report meter found OK.
 - (b) As per spot inspection report No. 1166 dt. 09/04/2011 of Ulhasnagar – I Division the total connected load of this consumer is 20 KW (Sanction Load is 5 KW).
 - (c) Shri Mulchand Jetwani has requested to test the meter in the presence of representative of meter manufacturer and asked to give MRI data of meter.
- 8) I.G.R. Cell also directed licensee to test the meter of the consumer in the presence of the consumer and representative of meter manufacturer.

- 9) As per the directions of I.G.R. Cell and request of the consumer his meter was re-tested on 02/12/2011 in the presence of the consumer and representative of meter manufacturer (L&T) at Kalyan Testing Division.
- 10) The L&T representative after checking the meter No. **09336560** of the consumer on 02/12/2011 at Kalyan Testing Division – II had concluded that :
 - (a) Meter has shown intermittent magnetic recording on various occasions which could be possible due to Magneto sensor card failure.
 - (b) Meter has shown Magnetic Tamper logging on 17/03/2011 at 00:00 to 6:52 am 79 times which indicates chances of meter being in the vicinity of External magnetic field.
- 11) Taking into consideration the above observations of L&T representative dated 02/12/2011 and the report of Testing Division Kalyan dated 18/06/2011, we are of the opinion that Meter No. **09336560** of this consumer was defective and excessive bills were issued to him which should be adjusted by the licensee.
- 12) Accordingly for the said defective meter we also feel that licensee should follow proper statutory provision provided under Regulation 15.4.1 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations, 2005 which reads as under :

“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.....

Provided that.....

- 13) As provided under this statutory provision in case of defective meter the licensee is liable to adjust the consumer's bill for a maximum period of three month prior to the month in which the dispute has arisen.
- 14) On the scrutiny of the consumption pattern it is observed that the consumption of meter was on very higher side and hence it shows that meter was defective. The CPL shows that the consumption of the said meter was abnormal. Therefore, licensee is liable to adjust the bill of the consumer.
- 15) Taking into consideration all the above points we pass the following order :

O-R-D-E-R

- 1) The grievance application is partly allowed.
- 2) Licensee is directed to amend and adjust the electricity consumption bills of the consumer in regard to the defective Meter No. **09336560** under Regulation 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 if any in the next ensuing bill.
- 3) Compliance be reported to the Forum within 60 days from the date of receipt of this order.

- 4) The Consumer can file representation against this decision with the Hon. Electricity 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 : 30/01/2012

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

(R.V.Shivdas)
Member Secretary
CGRF Kalyan