

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/184/0097 Date: 28.05.2019

Hearing Date: 27/11/2018

CASE NO.184/2018

In the matter of billing

M/s. Dy.city Engineer (Elect.),
Electrical Department,
3rd floor,Majar General Arjun Kumar,
Vaidya Marg,Pachpakhadi,
Thane-400602. (Hereinafter referred as applicant)

Versus

Maharashtra State Electricity Distribution Company Limited
through its Nodal Officer,
Thane Circle, Thane
. (Hereinafter referred as Respondent)

Appearance

For Consumer:- Shri.Snajay Shinde
For Respondent: - Gauri Bramahane Additional Executive Engineer,
Kisan Nagar Sub-divisoin

[Coram- Dr. Santoshkumar Jaiswal - Chairperson, Dr. R.S.Avhad -Member Secretary
and Sharmila Rande - 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 Regulatory Commission'.

2. Being aggrieved with order of IGRC Thane passed in case no 73/2018 the applicant filed application in schedule 'A' to this Forum. The applicant submits that TMC applied for street light connections for Shafiq compound & Kisan Nagar in Nov-2011. For these connection MSEDCL issued quotations in November-2012. In both connections, Address is not mentioned only consumer nos. are mentioned. Quotations are paid by TMC for above two connections & in April-2013 both meters installed and electric supply released.
3. From date of connections bills of these two connections were issued by MSEDCL as per average consumption. Further submits, TMC had informed MSEDCL by letter dtd. 02.04.2014 & 27.08.2014 average bills issued by MSEDCL from date of connections to November – 2017 .Again, reminder letters issued in December-2017, 26.12.2017 for issue of bills as per consumption of electricity.
4. The applicant submits that MSEDCL issued bill in February-2017 for 121746 units amounting to Rs. 7, 03,185/-. When above two connection are checked by carrying out spot inspection, both the meters were found to be interchanged. TMC paid Rs. 75000/- from 2013. Bill is to be issued as per

connected load .The the applicant submits TMC installed LED Lamps from 2013 for reduction of consumption and prayed bill is to be issued as per connected load.

5. The notice issued to the respondent to submit parawiase reply and to appear before the Forum. In reply ,the respondent submits that Dy. City Engineer, TMC, Consumer no. 000010877733/0 is the consumer of MSEDCL.As we received TMC letter regarding faulty meter reading vide letter no. 72 dated 27/08/2017, we inspected the spot in September -17 & November 2017 and were unable to locate the meter in Shafiq Compound, Padwal Nagar.When the inspection was conducted by the undersigned in response to TMC's letter no. 72 dated 27/08/2017 in September 2017, the meter was not found and the same was conveyed to the TMC representative and the reading agency. Then again in November 2017 the inspection with TMC representative and reading agency reader was done. But again we could not find the location as the address mentioned on the bill for the above mentioned consumer no did not tallied with actual location of the meter. The same was informed to TMC representative. However, in the month of November-17, TMC representative with the help of their local representative informed the actual location of the meter at the address "Ratnajyot Building, Near Saibaba Temple, shivaji Nagar" instead of Chapee compound, Padwal Nagar, near Sulabh toilet".Till that time the undersigned was unaware that there was change in location/address of consumer no. 000010877733 and consumer no. 000010877741 at the time of new service connection. Agency was punching less reading of normal status of the said consumer and never informed that the meter is not on the mentioned address. As the consumer was getting normal status bill and no issues were raised by the consumer at that time, the meter was not got checked.
6. Further submits, to correct the address, the undersigned had changed the address on the bill in the month of November-17 for the consumer no. 000010877733.However, after changing the address, the meter was

thoroughly checked and the reading on the meter as on 05.02.2018 was 151768 kwh while the consumer was only billed up to 9512 kwh till August 2017. Because the units consumed was 1,42,256 units the same was informed to the TMC representative and on 05.02.2018, a provisional bill of Rs 7,03,185/- (Seven Lakhs Three Thousand One Hundred Eighty Five Only) for 1,12,256 units (1,21,746-9490=112256 units) was sent to them by giving them the slab benefit for 4 months (September-17 to December-17). As per TMC's oral request, slab benefit since date of connection i.e. 151767 units were given from August 2013 to January 2018 (total units -151767 units) as the consumer was getting bill of lesser normal readings and again the provisional bill of Rs. 8,88,680/- (Eight Lakhs Eighty Eight Thousand Six Hundred Eighty Only) was issued to them on 28/02/2018.

7. The Respondent submits, the undersigned had instructed reading agency to feed the actual reading of the consumer orally in the month of December-17 and by e-mail dated 10/02/2018 for the month of January-18 so that consumer gets the bill as per the recorded consumption on the meter. Agency did not punch the actual readings of the consumer even after repetitive instructions.
8. Then again, the undersigned had instructed agency to punch the correct reading for February-18. However, consumer did not pay any of the provisional bills also as the agency was not punching the readings after repetitive follow up, this office had taken all the readings of the street light consumers and again instructed agency to punch the actual readings of the street lights and public toilets. Because of this the reading of 1,56, 875 kHz was updated in March 2018's bill of Rs. 9,83,130/- (Nine Lakhs Eighty Three Thousand One Hundred Thirty Only) for the consumption of 1,47,363 units in one month.
9. The respondent submits that in the month of May-18, while discussing the said matter with Executive Engineer, TMC along with other officials of MSEDCL and TMC, it was informed to us that the location of the meters were changed of consumer no . 000010877733 and 000010877741 at the

time of new connection. The reading on the meter was also shown personally to the TMC representative on site on the same day. Then the bill issued to the consumer as per recorded consumption in the meter from March-18. But the consumer has not paid a single amount from the date of issue of Provisional bill from the month February-18 till 5th August 2018. The supply was temporarily disconnected on 16/07/2018 with the reading as 1,64,745 kwh.

10. The respondent submits the bifurcation of the bill amount as contended by the consumer is as given below:

Month	Units	Current bill	Arrears (in Rs)
March-18	147,363	971,214.81	0
April-18	2,500	17,030.00	9,83,129.58
May-18	2,803	19,432.52	10,00,372.46
June-18	1,719	12,172.67	10,20,047.89

The amount of Rs. 10,19,800/- reflected in the June-18 bill is due to non-payment of their bills from the month of March-18. The units reflected in the bills from March-18 are actual consumption done by TMC for their use. The meter was accuchecked and found ok. The details of the entire connected load as per site verification are as follows:

LED Halogen-100 watts each-30 nos

Yellow Halogen-500 watts each-09 nos.(9 nos of other street lights were in off condition)

Water motor-1.5 HP (1.2kW)-1 no.

Submarine pump-1.5 HP (1.2kW)-01 no.

LED bulb for showered water light-15 watts (approx)-18 no.

Total connected load-10.17 kW)

11. I have given opportunity to the consumer and his representative who appeared before forum for hearing. I also gave opportunity to the additional Executive Engineer Kisan Nagar Sub-division sub division to submit parawise reply and applicant dispute has considered in light of all concern document placed before Forum. From the record it is revealed that the applicant applied for street light connection for Shafiq compound and Kisan Nagar in November 2011 and respondent issued quotations in November 2012. After payment of quotations the respondent installed meter to above connection in April 2013 and electricity supply released.

12. It is to be noted that the respondent issued the average bills from the date of connection to November 2017. Meanwhile during the said period, the applicant informed on 2.4.2014 & 27.08.2014 to the respondent that they are not received bills as per reading. But from the record it is observed the respondent not taken any action to issue the correct billing it is not fault on the side of consumer it is deficiency in the side of utility official. It is duty of the respondent to issue correct billing to the applicant/Consumer. Every employee of the Company, therefore, is expected to be diligent in performing his duty of issuing electricity bill so that neither Company should be put to any loss nor the consumer be put to any inconvenience.

13. The respondent produced that MRI report of meter which reveals that there is consumption of electricity recorded on meter but due negligence the less units billing done. It is crystal clear that it's case of accumulated units billing and correct reading bill issued of units 147,363 amounting Rs 971,214.81/- in the March 2018. During hearing the applicant ready to pay the bill of units in seven installment as order passed by IGRC as they used electricity of that units but took objection that interest and delayed charge payment to be withdraw as there is no fault on their side and paid regularly the bills received to them. The respondent also informed that the applicant paid all seven instalments. From the record produced by both parties it is to be noted that the contention of consumer is right. I am surprised to note that respondent taken reading every month but no one taken corrective

measures to issue correct bill from date of connection April 2003 to November 2017 .In the view of above, I proceed to pass following order

ORDER

1. The applicant application 184 /2018 is hereby partly allowed.
2. The respondent should not charge DPC and Interest on accumulated bill issued to the applicant.
3. Respondent Utility may take action on all concerned responsible for not taken corrective measures within time and not issuing correct reading monthly bill for such long period.
4. No order as to the cost.

Both parties should be informed accordingly

Respondent Utility to report compliance within 60 days from the receipt of this order.

I Agree/Disagree

I Agree/Disagree

**MRS. SHARMILA RANADE,
MEMBER
CGRF, BHANDUP**

**Dr. SANTOSHKUMAR JAISWAL
CHAIRPERSON
CGRF, BHANDUP**

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

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

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, Keshav Building,Bandra - Kurla Complex, Bandra (E),Mumbai - 400 051"

- b) b) consumer, as per section 142 of the Electricity Act, 2003, can approach Hon'ble Maharashtra electricity Regulatory Commission for non- compliance, part compliance or
- c) Delay in compliance of this decision issued under" Maharashtra Electricity Regulatory Commission (consumer Redressed Forum and Ombudsman) Regulation 2003" at the following address:-
- "Maharashtra Electricity Regulatory Commission, 13th floor,world Trade Center, Cuffe Parade, Colaba, Mumbai 05"
- d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.