

**Consumer Grievance Redressal Forum  
Maharashtra State Electricity Distribution Co. Ltd.  
Bhandup Urban Zone, Bhandup**

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/

Date :

Case No. 149

Hearing Dt. 21/01/2008,

**In the matter of exhorbitant energy bill and disconnections without  
notice**

**Shri R.J. Gupta C/o Shri Ghatge** - Appellant

Vs.

**MSEDCL, Patlipada S/Dn., Wagle Estate** - Opponent  
**Present during the hearing**

**A - On behalf of CGRF, Bhandup**

- 1) Shri S.L. Kulkarni, Chairman, CGRF, Bhandup.
- 2) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

**B - On behalf of Appellant**

- 1) Shri Pasarkar, Consumer Representative.
- 2) Shri Ghatge, Consumer

**C - On behalf of Respondent**

Shri Petkar, Ex.Engr. Wagle Estate, Thane.

**PREAMBLE :**

The consumer had registered his grievance with this Forum on 2<sup>nd</sup> Jan. 2008 with serial No. 149. The hearing date was fixed on 21/01/2008 at 12.00 hrs. All the concerned were intimated to attend the hearing.

**CONSUMER'S SAY :**

Shri R.J. Gupta is the owner of Godown No. 1, 9 Acre, Kothari Compound, Thane having consumer No. 000132074143 with sanctioned load of 5.6 kw. He leased out his premises to Shri. Ghatge to run his water supply business. Shri Ghatge has been using these premises for last 3 years (from October 2004). As per mutual understanding between Shri Gupta and Shri Ghatge, Shri Ghatge was to pay electricity bills raised by utility. He was getting regular bills upto March – 2007.

In April/May – 2007, meter reader Ashish Kamatkar and utility's person Shri P.L. Naik come to applicants (Occupant) premises and orally informed him about possible defects in the meter and allegedly told that he could get an exhorbitant bill in future (Approx-3 lakhs) and both the person supposedly asked for a bribe of Rs. 1 lakh to manage he meter reading and resolve the matter. They could manage it by destroying the meter. The consumer did not agree to this proposal.

The reading was directly taken in the month of June (skipping April and May reading). The reading was again skipped from July to October confirmed by RN7 status shown in CPL.

Not having received a bill for October even upto 27<sup>th</sup> November 2007, the consumer approached the utility's office at patlipada for duplicate energy bill. The consumer was shocked to see and exhorbitant bill for Rs. 2,60,030/- with 39105 units.

He approached the concerned Dy. Ex.Engr. and express his inability to pay such a huge amount bill at such a short notice. The concerned Dy. Ex. Engr. insisted that the bill was correct and that he would have to pay the entire bill or else his supply would be disconnected.

There upon he approached Ex. Engr., Wagle Estate, who asked him to pay 50% of the amount of the bill and proceed in appeal. Consumer paid the 50% bill amount, which comes to Rs. 1,30,000/- in spite of this his supply was disconnected on 01/12/2007 without giving prior 15 days notice to the consumer.

As per consumer's view Ex. Engr., Wagle Estate did not guide him as per section 56(b) of E.A. act 2003.

Shri Ghatge received next bill for period of 15/10/2007 to 15/11/2007 for 1054 units amounting to Rs. 2,67,740/- (including arrears). The consumer went to Dy. Ex.Engr. to pay the current bill but Dy. Ex. Engr. refused in toto to accept the part payment bill indicating a disconnection if he fails to make full payment.

The consumer then approached the CGRF and requested the Forum to accept the current month's bill but Forum advised him to send the cheque by RPAD. Utility accepted the cheque of Rs. 6701/- which was received on 15/12/2007. Though the bill was due on 20/12/2007, utility disconnected his supply again on 15/12/007 without issuing 15 days prior notice. The supply was restored 13 days later on 28/12/2007.

Consumer took a strong objection against the attitude of concerned Dy. Ex. Engr. despite the fact the utility's top management appeal to its staff to honour the consumers through their in house magazine. Here the attitude is quite reverse.

**CONSUMER'S PRAYER :**

- 1) Squash the exorbitant bill, which is bad in Law and raise correct bill with spread over for four months, and refund excess paid amount to consumer with equivalent rate of interest that D.L. charges to the consumer. For delay in payment also, D.P.C. should be waived off.
- 2) Compensate consumer for losses he incurred an account of getting the matter resolved and business loss as consumer's livelihood depends exclusively on this business.
- 3) Direct D.L. to set up Vigilance enquiry against concerned staff.
- 4) Compensate suffered consumer by penalizing the erring officer, for illegal disconnection at the rate of Rs. 150 x 5 tankers/day x 13 days = Rs. 11,250/- towards business loss or equivalent compensation.
- 5) Terminate the contract of concerned meter reader contractor of the consumer's area and recover the balance bill amount from him for he is the defaulter and have anti consumer attitude that damaged the image of D.L. and consumer and put consumer or D.L. in financial loss.

**UTILITY'S SAY :**

Shri Ramkishor Jawaharlal Gupta, Godown No. 1, 9 Acre Kothari compound, Manpada, Thane is a consumer having consumer No. 00132074143/6 with connected load 5.6 kW water pump connection for commercial purpose. The bill for the month of October has consumption of 39105 units.

- 1) Meter readings are taken by private agencies deputed by MSEDCL.
- 2) Incorrect/ managed reading were given by private agencies which had shown less consumption in past bills of the consumer.

- 3) Actual consumption was first noticed in the month of October 2007 and bill was issued to the consumer for correct accumulated reading.
- 4) On complaint of consumer, a series meter had been installed on 11/10/2007 for meter testing. Accordingly, meter was tested and found to be correct. The consumption for existing meter was 729 units and series meter showed the consumption 722 units which was more or less similar.
- 5) The meter testing report was shown to the consumer but the consumer refused to sign on verification report.
- 6) As a general routine division office got the disconnection list on 01/11/2007 and utility issued a notice for disconnection of supply on the same day consumer refused to accept the notice. Hence utility sent the notice by R.P.A.D., which was received by the consumer on 03/12/2007.
- 7) Orally consumer had agreed to pay the complete bill within 10 days with part payment facility, hence 50% bill amount was accepted on 03/12/2007.
- 8) Mean while consumer approached CGRF creating dispute, hence current bill was accepted on 03/12/2007.
- 9) During the hearing consumer stated that bribe was demanded from him by meter reader and utility person, but consumer had not registered any complaint at that time.
- 10) According to the utility the billed units are correct and consumer should pay the balance amount and utility will take action on the defaulter meter reading agencies as per term and condition of the order.

**OBSERVATIONS:**

On receipt of complaint from the consumer, a series meter was installed to check the correctness of the meter, which was found to be in order as per verification report of 26/12/2007 submitted by utility.

The meter reading prior to checking of the meter was consistently reported to be in the range of 200 to 250 units per month and the current reading after meter testing should a huge consumption of 39105 units. Considering the fact, that the meter was not faulty, the only possible explanation seems to be that the concerned meter reader was reporting a reading, which was not in consonance with actual reading thus fictitious. This has apparently resulted in accumulation of units consumed since September 2004, which reflected in an unusually high consumption of units in October 2007 when actual reading was correctly reported by another meter reader. The contention of the consumer that the excessive consumption of units in October was a reflection of only the previous four months reading is not correct. In fact it was a result of wrong/false reporting of consumption for last 38 months since September 2004. This is further confirmed by consumer's admission that his consumption pattern has not under gone any change since the connection of the meter till date. To check the correctness of the meter, utility installed a series meter, this meter was installed on 11/10/2007 and was observed upto 26/10/2007. The units recorded on both meters were approx-700 units in 16 days, which shows that an average consumption of the consumer is around 1200 to 1300 units/month. The vast difference between meter readers and readings of the past period and subsequently readings after setting up of series meter is clear proof of the mischief of the concerned staff.

When the consumer got the duplicate bill on 27/12/2007 with exhorbitant amount, he approached Dy. Ex. Engr. with his grievance, Dy. Ex. Engr. rejected his complaint without verifying or enquiring with the distributor is not tenable as the meter was tested on 26/11/2007 and Dy. Ex.

Engr. had received the verification report on same day. On that basis Dy. Ex.Engr. rejected the contention of consumer that the bill was incorrect.

To check the correctness of the meter, utility installed a series meter. This meter was installed on 11/10/2007 and was observed upto 26/10/2007. The units recorded on both meters were approx. – 700 units in 16 days which shows that an average consumption of the consumer is around 1200 to 1300 units/month. The vast difference between meter readers & readings of the past period and subsequently readings after setting up of series meter is clear proof of the mischief of the concerned staff.

As regards disconnection of the energy supply of the consumer, on 01/10/2007 the say of the utility that it had issued to the consumer a notice dated 29/09/2007 intending disconnection is not found tenable. The utility could not produce any evidence of having served any notice to the consumer for disconnection twice. The consumer is therefore entitled to the compensation for illegal disconnection.

### ORDER

- 1) The utility has correctly worked out the energy bill, which the consumer is bound to pay. However, the consumer may be given slab wise benefit and possible installments.
- 2) For wrongful disconnections twice of the supply of the consumer, the utility should pay to the consumer an amount of Rs. 5000/- (Rs. Five thousand) as compensation.
- 3) The concerned meter reader both of utility's staff member and of private agency should be penalized suitably by the utility for playing mischief with meter reading process.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 25<sup>th</sup> of January 2008.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman

The Electricity Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606, Keshav Building,  
Bandra - Kurla Complex, Bandra (E),  
Mumbai - 400 051.

2) If utility is not satisfied with order, it may go in appeal before the Hon. High Court within 60 days from receipt of the order.

**MRS. M.P. DATAR**  
**MEMBER**  
**CGRF, BHANDUP**

**S.B. WAHANE**  
**MEMBER SECRETARY**  
**CGRF, BHANDUP**

**S.L. KULKARNI**  
**CHAIRMAN**  
**CGRF, BHANDUP**

