

(A Govt. of Maharashtra Undertaking)

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Consumer Grievance Redressal Forum

“Vidyut Bhavan”, Gr. Floor,

L.B.S.Marg,Bhandup (W),

Mumbai – 400078.

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/558

Date:28.02.2017

Case No.119/2016

Hearing Dt. 17/1/2017

In the matter of accumulated exorbitant bill

Mr. Qumruddhin Mohmod

- Applicant

Vs.

M.S.E.D.C.Ltd., Mumbra, Sub Division

- Respondent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri. Anil P. Bhavthankar, Chairperson, CGRF, Bhandup.
- 2) Shri.Ravindra S. Avhad, Member Secretary, CGRF, Bhandup.
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant

- 1) Miss. Afran Qamruddin - Consumer/Consumer representative

C - On behalf of Respondent

- 1) Shri. Bedekar, Addl. Executive Engineer, Mumbra sub division

Consumer No000550329140 meter No. 981227125

1. Above named consumer filed this complaint against the respondent utility stating that consumer obtained supply to his residential premises under the category of LT I residential single phase connecting load 2KW sanction load 2KW MF:1. The said connection is used by the consumer for residential use. Consumer initially filed complaint in Schedule ‘X’

September 2016 alleging that the consumer received exorbitant and wrong bill in the month May 2014 to his residential premises for the period 08.10.2014 to 8.05.2016 .After receiving the said bill consumer approach to respondent utility office and filed application for getting copy of CPL. After the copy of issued to him as per bill issued in the name of consumer showing accumulated unit 4972 for amounting Rs. 29940/- the bill for the month of March 2015. Thereafter consumer approach to utility office and made complaint of wrong meter reading and accumulated bill is not agree for unit recorded 4972 accordingly to him the meter was defective and wrong .Consumer submitted that he required to deposit amount Rs. 14,903/- by utility consumer dined the said bill and resisted the claim of wrong meter reading against the utility office. Thereafter consumer approach to the officer of the utility and contact Junior Engineer the consumer was directed to pay amount of Rs. 20000/- after reasonable deduction of available slabwise benefit. After laps of 8 months the consumer received the bill Rs 1, 81,240/-. The consumer was requested the said amount of 80,000/- out of which consumer paid amount of Rs. 25000/- even thereafter respondent utility issued the bill for amounting Rs.80000/- .After receiving the complaint in IGRC cell the dispute was not resolved within period of 2 months. Therefore consumer approach to the Forum in filed application in Schedule 'A' through power of attorney on 20.12.2016.Consumer requested to issued proper bill and pray for reasonable and proper deduction. Consumers also pray that no action is taken on the part of utility therefore he should not be charge with interest and penalty. Consumer pray for spot inspection and check of his electricity meter

2. After receiving the said complaint notice was issued to the respondent utility. After service of notice respondent utility appeared and filed para wise reply 17.01.2017. Utility submitted that as per the complaint of

consumer filed earlier the supply of his premises was permanently disconnected in the month of Nov 2014 at that time consumer was in arrears of accumulated bill 81270.84/- .As the meter was check and found running Ok no fault detected unit recorded on the meter of consumer 7918 units. Thereafter in the month of October 2015 the report of checking of report receiving to the utility and the meter was found OK. The reading which was recorded 7918, 12455 and thereafter in the month of October 2015 the bill of prepared of 4537 units for the period November 2014 to oct. 2015. At the request of consumer the bill was divided in between the period under revision ID 4920187 in the month of November 2016. Accordingly B-80 was prepared for amounting Rs. 32474/-. After preparation of the said bill consumer submitted that there was no complaint even be dissatisfied with the procedure of utility which is followed at the relevant time consumer again approach to the Forum and raised the dispute. Accordingly to utility the revision bill prepared as per B-80 the calculation is made revised correctly the copy of CPL from year 2013 to 2016 December is prepared. Respondent utility filed the bill dated 04.01.2017 spot inspection report of consumer no.00055032914014 & meter No 4048835 and submitted detail of connecting load and actual user as per the report the connecting load 2 Fan, 2 Tube light , freeze, washing machine and TV units attachment to the supply and the status of meter condition found OK. Thereafter respondent utility verified copy of CPL during the disputed period and according to bill is prepared by giving bifurcation of unit month wise considering actual usages of unit pattern fix by the consumer it is below 500 unit per month and accordingly the bill was revised and issued for amounting Rs. 1,52,710/-

3. Thereafter consumer is representative power of attorney holder appears before the Forum naming with Faran Quammruddin daughter of the consumer having the notaries power of attorney executed on 09.09.2016.

I gave opportunity to representative of consumer and his wife who was present at the time of hearing. Respondent utility representative produce was all relevant document copy of CPL meter testing report and earlier procedure of preparation of B-80 considering revision of bill. It appears from the record of consumer deposited amounting of Rs. 25000/- to which receipt produce by the consumer is attached. I have perused all the relevant documents, spot inspection report, meter testing report and heard the grievance to the satisfaction of the consumer.

4. After perusing rival contention of consumer grievance and say of respondent utility following point arose for our consideration to which I have recorded my finding to the point's further reason given below.
 - a. Whether respondent utility entitled to received at stimulated unit as claim in the bill dated 04.01.2017.
 - b. Whether consumer is entitled for any relief.
 - d. What order?

Reasoning

5. I have considered the dispute raised by the consumer at appropriate time according to consumer the earlier dispute raised about accumulated reading recorded 7918 units for the period November 2014 to October 2015. During the said period the status of meter and the bill is issued for respondent utility was showing fluctuating unit charge in the bill and therefore when the consumer made complaint the spot inspection was made by the respondent utility official on 12.01.2017. As per the meter checking report found the meter recorded unit which was shown fluctuating and the under billing unit came to be recorded and the bill was issued earlier. After the meter is check the actual unit recorded found 7918 to 12455 i.e 4537 this dispute is already consider by respondent utility the

adjustment amount Rs32474/- minus amount shown 25786/- ED and other charges calculated 4206 and 2555.77 and B-80 already issued and revised bill is prepared and given by the consumer but the consumer is dissatisfied with the procedure. During the course of hearing the copy of CPL earlier preparation of B-80 and actual consumption patten during the year 2013 - 2014 and 2015 was verified. According to me when actual meter reading is available the consumer who was billed earlier for the unit already deducted from accumulated bill amount and I found earlier B-80 which was prepared and revised bill issued to the consumer on 04.01.2017 was proper. As such consumer was already given benefit but out of claim amount of 82240/- consumer only pay amount of 25000/- which was already consider so far as the dispute raised by the consumer before this Forum also verified as accumulated bill prepared as per the recorded unit closing 7918 to 12455 came to be recorded and subsequent bill even after the preparation of B-80 which was divided form Nov. 2014 to Oct.2015 for amounting Rs.32474/- was issued. Consumer raised the dispute that they are unable to pay huge amount in single installment. I found there is substance in the grievance as the earlier dispute which was considered by respondent utility officer the consumer was not satisfied. It appears that the consumer is reluctant to pay the even corrected and revised bill in one installment at the time of hearing the actual consumption on unit and earlier dispute also considered by this Forum. When accumulated bill is prepared and issue to the consumer it is observed that it is consumer bound raised the dispute against the respondent utility which was never satisfied at the end of utility officer and therefore I gave minute consideration to the dispute, I found that accumulated bill claim for the unit 4537 as calculated difference of units proper which is required to be divided in equal period of 10 months. Consumer entitle to received the deduction of the bill which is already paid against total earlier demand.

Lastly, the calculation and the made by respondent utility official and consumer was charge for the bill for entire unit reading 7918 to 12455 with again required to be divided in equal month. The consumer should not be charge any interest and penalty as there is no fault found on the part of consumer. For the same reason I have considered actual consumption patter unit consume by this consumer verifying copy of CPL the actual consumption of unit is between 300 to 500 unit and accordingly the monthly bifurcation of bill of accumulated unit 4537 is require an issue again revised bill to the consumer. I found these circumstances gave reason for the consumer and entitled to pray the bill in equal monthly installment. Hence the consumer complaint required to be allowed. I proceed to pass following order.

ORDER

1. Consumer complaint No.119/2016 is allowed.
2. The respondent utility directed to issue revise bill by recording of unit 7918 to 12455 between the period for accumulated unit 4537 in equal monthly installment. The consumer is allowed to pay the said bill in equal monthly installment along with current bill.
3. The consumer should not be charge any interest and penalty on the said bill. No order as to the cost.

Both the parties should be informed accordingly.

Proceeding close.

The compliance should be reported within 45 days.

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

Note:

1) If Consumer is not satisfied with the decision, he may file representation within 60 days from the 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 file representation before the Hon. High Court within 60 days from receipt of the order.

I Agree/Disagree

I Agree/Disagree

**DR. ARCHANA SABNIS
MEMBER
CGRF, BHANDUP**

**ANIL P. BHAVTHANKAR
CHAIRPERSON
CGRF, BHANDUP**

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