



(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/136/ 13

Date :21.04.2017

Case No. 136/2017

Hearing Dt. 21/3/2017

In the matter of exorbitant electricity Bill

Mr. Tanuj M. Banthia

169/A,2Nd Floor, Moti Mahal,

M.G.Road,Panvel,Navi Mumbai

- **Applicant**

Vs.

M.S.E.D.C.L. Panvel City 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. Archana Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant

- 1) Shri. Tanuj M. Banthia – Consumer

C - On behalf of Respondent

- 1) Shri. Jagdish S. Bodkhe, Addl. Executive Engineer, Panvel City Sub Divison.

Consumer No. 00285102583280 Meter No. 6504947623date of connection

03.08.2015 SL- 3KW category 90/LT I single phase

1. Above named consumer using the said supply for his residential purpose since 03.08.2015. The consumer submitted grievance that he made application to the respondent utility office for distribution of electrical supply with separate meter in residential premises after internal mutual partition between family. Accordingly the bifurcation of supply work was done at the instance of the consumer to the premises .In the month of Feb. 2016 consumer received huge and exorbitant bill to meter No. 6504947623 charging 7320 unit amounting Rs. 1,12,400/-. After receiving the said bill consumer approach to the respondent utility office and made grievance of checking and verification of this the meter. After receiving the said application the meter was tested by respondent utility office. Thereafter respondent utility official as per actual reading appear on the meter under the dispute calculated unit for the period November 2016 to 01 Jan. 2017 and issued demanded bill Rs.80374/- along with notice 56(1) of I.E.A. 2003 on 23.01.2017 along with bill. Thereafter consumer raised the dispute initially before internal grievance and submitted that he received accumulated exorbitant bill in the month of February 2015 for unit 7320 for the period March 2016 to June 2016. Consumer gave the details of unit consumption inform to him for the period November 2015 to June 2016. According to consumer the supply is use for his premises which is minimum and exorbitant bill is issued for huge amount Rs. 1,12,400/-. Therefore consumer approach to the internal grievance and raised the dispute. Thereafter the respondent utility official check the meter and found meter testing report was 'OK'. The dispute not solved by IGRC within the period of 2 months being dissatisfied with the action of IGRC consumer approach to this Forum on 13.02.2017 and filed grievance alleging that he received exorbitant bill for unit 7320 for the

above said period and bill is exorbitant consumer not relied the meter testing report and made grievance that his consumption is minimum bill issued by respondent utility office in exorbitant. However consumer deposited amount of Rs. 40,000/- against Rs. 1,12,400/- on 16.03.2016 and requested to the Forum not to disconnect the supply till final order. Accordingly the consumer complaint is filed on 13.02.2017 after filing the said complaint notice was issued to the respondent utility Executive Engineer and Additional Executive Engineer, Panvel City Sub Division. After receiving the said notice respondent utility appeared and filed reply on 21.02.2017.

2. It is submitted by respondent utility that the meter no 028512583280 supply was release on 03.08.2015 for the purpose of residential use along with the said supply two connection consumer no 028512583328 and 028515883271 was release after trifurcation of load in the area properly. Previously there was only 3 phase connection use by the consumer against the consumer no 028510390077. The first bill issued to the consumer in the month of November 2015. The detail as following along with old 3 phase connection after trifurcation of load of existing meter use for common purpose such as lift and water pump. The data shows as the consumption was drop after new meter is installed following table shows that consumption of all four meter. It shows in subsequent month consumption of all the meter verification was made and thereafter it is found that consumer No.028512583280 received INACCS status 100 unit bill per month since December 2015 which was wrongly issued INACCS status whereas after verification of checking of meter the actual consumption recorded on the meter reading shows 6054. In the next month bill 1039 unit when reason was shown 7040 which was wrongly punch as 1040. For the consumer no 028512583280 photograph of

the said meter shown December 2015, Jan 2016 and photo bill for the month of Feb. 2016 is attached for ready reference. Respondent utility gave table of all existence of consumer number and the meter and actual consumption recorded since April 2015 to March 2016. Accordingly to respondent utility consumer received the bill of 7320 unit for the Feb. 2016. With his request that meter accu-checked on 16.03.2016 it is found that 3 connections was released but internal load on single phase meter No. 4947623 hence consumer received lumsum consumption. Respondent utility submitted that secondly it was found that during the month of August 2015 to Jan. 2016 normal billing was not done against with the correction Rs. 7873/- was made in account of consumer which he agree to pay in the bill in six monthly instalments. Accordingly the paid amount Rs. 40,000/- towards first instalment. Thereafter consumer raised in dispute in IGRC and as per the instruction of IGRC the meter was tested in the lab at Vashi on dated 09.08.2016 and it was report 'OK'. Thereafter consumer received corrected bill according to utility the said bill was proper, legal, valid and liable paid by consumer. Respondent utility submitted that consumer already agrees to pay the bill and pay part instalment Rs. 40,000/- which is adjusted total bill. The grievance is unnecessary without any substance. Hence respondent utility pray that grievance is dismiss with cost.

3. The respondent utility filed document photo copy of meter reading bill issued dated 09.03.2016 giving benefit after meter testing report 'OK' installation and checking meter on 05.03.2016 ,revised and corrected bill given per amounting Rs.7041/- ,testing report dated 10.08.2016 of lab testing along with analysis report data and copy of CPL . I have perused all the document

filed respondent utility in support of their reply which is verified by technical Member Secretary of this Forum.

4. After perusing the rival contentions of consumer and respondent utility, following points arose for my consideration to which I have recorded my finding to the point's reasons given below
 - 1] Whether respondent utility entitled to receive the accumulated corrected bill along with notice for amounting Rs. 80,374/-.
 - 2] Whether respondent utility committed any error is not accessing bill at their fault.
 - 3] Whether consumer is entitled for any relief.

Reasons

5. I have given opportunity to the consumer and his representative who appears before this Forum. The dispute arose between the consumer and respondent utility after consumer received accumulated bill of recording unit calculated Rs. 1,12,400/-. It is admitted fact that consumer paid under protest bill of amount Rs. 40,000/- on 16.03.2016. The reason of issuing supplementary bill along with notice it happen that on the request of consumer there was 3 phase connection installed earlier in the premises. Thereafter single phase connection was trifurcated on the request of consumer and there was internal change made in wiring at the instance of consumer. However the meter was installed by the respondent utility office giving various consumer numbers in the said premises. The respondent utility in there reply given details table which reads as under

Month	Consumption of existing Consumer			
	028510390077	028512583280	028512583328	028512583271
April -15	2283			
May-15	2914			
June-15	2915			
July-15	2563			
Aug.-15	2075	Live in Aug-15	Live in Aug-15	Live in Aug-15
Sept.15	881			
Oct.-15	67			
Nov.-15	83	317(RNA)	924	162(RNA)
Dec.-15	97	100(INACCE)	140	1992
Jan.-16	97	1039(Wrong)	291	68
Feb.-16	288	7320	463	173
Mar.-16	177	939	677	191

6. After verification of the said chart it appears that due to mistake of wrong punching the unit actually recorded on the meter no 028512583280 show in INACCS status and 100 unit bills issued since the month December 2015 to the consumer. In fact the photo copy of meter was produce at the time of hearing verifying by us the actual reading shown earlier in the month of December 6052 and the reading was shown 7040 which is verified from the photograph it is calculated 1040 but the said unit was wrongly punch on consumer No. 028512583280 and therefore the correction was made in the month of Feb. 2016. According to the respondent utility as per the request of consumer accu-check report of meter disclose the meter was found 'OK' actual meter reading display and produce before the Forum. The actual

demand of bill earlier issued was revised after receiving meter testing report and accordingly the photo reading actual shown on the meter was calculated and respondent utility submitted that on 09.03.2016 the adjustment of amount Rs. 7873/- already given to the consumer. Thereafter the accumulated bill for the period which was demanded and prepared for communicated to the consumer for amounting Rs. 80,374/- but the consumer not paid the bill and raised the dispute so far as the contention of consumer that actual consumption use at the premises by him is purely on residential purpose the bill which was issue to the consumer was verified .According to the respondent utility it is issued due to wrong punching against the consumer no of this present complainant and correction was made. Actual the said consumption is use for common utility purpose meter but it was wrongly punch. Accordingly to me the event of wrong punching of unit of difference consumer is not at the fault and therefore consumer is not liable to pay any interest and penalty on the said arrears of amount.

7. It appears from the reply given by respondent utility in this case the earlier demand bill Rs.1,12,400/- out of this consumer already paid and deposit amount of Rs. 40000/- and remaining amount payable Rs.80374/- required to be recovered from the consumer .At the time of hearing exact by bifurcation of unit actual use and recorded on the meter is verified. It necessary for me to mention that consumer agree to said bifurcation of unit as entire unit is not use by the consumer as shown in the reading recorded on his meter as the connection is use for his residential purpose. However they said extra unit wrongly punch on the consumer of this complainant required to paid jointly by the occupant and therefore it is required to access the said remaining unit payable on all remaining residential consumer equally. At this

stage this forum not inclined to go in internal dispute of the family and fix the liability of share actually required to be paid by the consumer. It is choice of all the occupant and who received the supply form earlier 3 phase connection because the bifurcation of supply is at the event and the request of consumer. Therefore the liability of consumer to pay actual reading meter unit which was use by consumer but shown wrongly punch on different

8. This correction of recording unit use by common purpose now corrected. However the consumer is directed to check and re -access the supply use for common utility purpose in the premises for receiving actual correct reading and the record thereof .At this time of hearing it appears that consumer already paid his share by deposit amount Rs.40,000/- remaining part of amount should be bifurcated on equally on other meter in next 3 month and recover the same and this consumption is use on the meter of common utility purpose in the same premises. Therefore all other occupant equally liable to pay the share to cartel the further dispute that event of wrong punching of the unit of different consumer meter is fault of respondent utility. Hence I have no other option to allow the complaint and give relief. Hence I am inclined to allow the complaint of consumer and proceed to pass following order.

ORDER

1. The consumer complaint No. 136/2016 is allowed.
2. The Respondent utility hereby directed to recovery the remaining unit consumption charges by equal month assessment from remaining two occupier and user of consumption in the premises.
3. No interest penalty or DPC shall be recovered from consumer.

4. The consumer entitled to pay the said amount in equal monthly installment it should be adjusted in future bill.

5. No order as to the cost.

Proceeding close.

Both the parties be informed accordingly.

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

Note:

1) If Consumer is not satisfied with the decision, it may proceed 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 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