

A Govt. of Maharashtra Undertaking)
CIN : U40109MH2005SGC153645

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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/

Date

Case No. 628

Hearing Dt.

In the matter of Excessive billing

M/s. Blue Capital

- **Applicant**

Vs.

M.S.E.D.C.L., Sarvoday Sub Division.

- **Respondent**

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri. Anil Bavthankar, Chairman, CGRF, Bhandup
- 2) Shri. Ravindra S. Avhad, Member Secretary, CGRF, Bhandup.
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Applicant

- 1) Shri. Sulesh S. Karnik - Consumer Representative

C - On behalf of Respondent No. 1

- 1) Shri. Mr. Jadhav, Addl. Executive Engineer, Sarvoday, Sub Division.

Order (passed on 16.03.2016)

1. Above named consumer having 04 LT II commercial connection, connected load 29KW, sanctioned load 6KW, date of connection 18.01.2012. Earlier the consumer was receiving bills which he used to pay from time to time. It is alleged that excessive demand of Rs. 29,280/- for 2749 units was made in the month of June 2015.

After receiving the said bill consumer raised dispute along with application for testing meter in the prescribed before the respondent utility. Consumer also filed that grievance before IGRC on 09.08.2015 which was registered as case 34. Though notice of hearing was issued to consumer on 10.09.2015, IGRC neither did proceed with the hearing nor gave any decision within the stipulated period of 2 months.

2. Therefore the consumer approached this Forum and filed complaint on 24.11.2015, and has prayed for relief in the form of

- Withdrawal of the said bill
- Refund of excess payment made by him
- Compensation
- Travelling expenses and other charges payable by respondent utility.

3. After filing the said grievance notice was issued to respondent utility, who appeared and filed reply.

It is contention of respondent utility that consumer complaint was already entertained by IGRC. The meter checking report showed that the meter was OK and consumption recorded on the meter was found correct. However, due to change of service of agency and appointment of new agency, the consumer was billed in the month of June as per actual consumption record on the meter and bill accordingly was issued. The consumption pattern recorded of this consumer between last 12 month ranges from 679 to 2749 units. Therefore the bill which is issued earlier for the period from April to June was as per average.

However in the month of June actual recording of units as found and the difference was claimed from the consumer. As such there is no fault detected in the meter thus 2749 units consumed by the complainant were recovered. Therefore complaint is liable to dismiss with cost.

4. After perusing the rival contentions of consumer and respondent utility, following points arose for our consideration:
 1. Whether respondent utility issued exorbitant bill for Rs. 29,280/- in the month of June 2015.
 2. Whether consumer is entitled to any relief.

We answer both the questions negatively.

Reasons

5. We have given opportunity to the consumer and his representative and also perused the documents on record viz. copy of CPL of this consumer from period Jan. 2013 up to November 2015, reply filed by respondent utility.
6. It appears that the consumer made complaint after receiving exorbitant bill in the month of June 2015. In fact since month April 2015 the bill was issued for consumption of 911 units as the status shown was RNA. As per the submission of the respondent utility, the reading was not available because old reading agency had stopped working since the month of April. Thus in May earlier bill was issued for 2 months under RNA status. When new reading agency was appointed, they recorded actual consumption of units in the month for June and thus the difference of units was calculated as 4749 units. Consumption pattern of this consumer from record appears to be 1279 units per month. Also at the request of consumer, meter was checked on 08.12.2015 by accucheck. As the report of this accucheck, meter was normal having no major fault. Actual consumption recorded on the meter was found to be correct.

7. Accordingly the intimation was given to the consumer by letter. But the consumer was dissatisfied with demand of bill he further challenged the recording of accucheck method on the ground that calibration of this unit and method was defective. However during the course of hearing respondent utility was directed to check the meter by applying MRI. But no report is filed till today.
8. Even for the satisfaction of consumer graph of consumption of unit for last 12 month checked by this Forum, but no serious abnormality was found while recording the unit. Even the sanctioned load and connected load verified and the consumption pattern which is higher as per record found 1479 unit at higher site.
9. To my view, during the peak season of April to June such higher consumption actual recorded on meter cannot be said to be exorbitant. However for the consumer satisfaction, the consumption can be worked out. As per earlier RNA status, 2749 units were claimed in the bill in month of June 2015. This is required to be divided in 3 equal months due to which consumer can be benefited of slab average bill. It appears from consumption graph that the tariff applicable to the consumer is for more than 1000 unit. Thus the higher rate are applicable in the said bill. The respondent utility obviously cannot claim any interest and penalty as it is not the fault of consumer of having meter reading agency in non-workable condition. Therefore I am inclined to wave off the interest and penalty charges in the said bill.
10. However the charges of difference of consumption actually used by consumer shall be recoverable. Therefore I accept the contention of respondent utility and issue the directions to waive off the interest and penalty on remaining

arrears of bill. Minimum recoverable arrears of bill against consumption of unit only and recovered the correct consumption charges. Rest of the complaint filed by the consumer in absence of any valid document stands dismissed.

ORDER

The consumer complaint No. 628/2015 is partly allowed.

No interest or DPC to be charged

Both the parties' intimation given below.

No order as to the cost.

Proceeding close.

Note:

1) If Consumer is not satisfied with the decision, he may file representation 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

