



A Govt. of Maharashtra Undertaking)
CIN : U40109MH2005SGC153645

PHONE NO. : 25664314/25664316
FAX NO. 26470953
Email: cgrfbhandupz@mahadiscom.in
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/

Date

Case No. 41

Hearing Dt. 28.06.2016

In the matter of excessive and incorrect recovery of bill

Mr. Amit H. Anam

- 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. Jaganath Kamat - Consumer Representative

C - On behalf of Respondent No. 1

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

Consumer No. 00093169743

1. Above named consumer filed this complaint against the respondent utility stating that his consumer of respondent utility and receiving supply on his given address under the category of LT commercial single phase in the month of March 2015. He received bill for amounting Rs. 103,130/- which is accumulated reading recorded on the meter was claim by respondent utility.

The said bill is exorbitant earns and excessive. He also received notice of threat of disconnection from respondent utility for nonpayment his occurred against the said bill. After receiving the said notice and bill he objected against the said bill and raised grievance before IGRC committee on 03.11.2015. But till 31.05.2016 IGRC failed to give their decision against the said complaint within stipulated time of 2 months from the date of filing consumer complaint before IGRC. Therefore he approach to the Forum and filed his grievance in Schedule From 'A' on 13.05.2016. Consumer challenge the said recovery of exorbitant bill on the ground that old meter was not check in his presence and no report is issued to him. He pray that revised of bill issued by respondent utility in March 2015 and also pray for refunds of access amount and cost.

2. After filing the said complaint notice was issued to respondent utility and receiving the said notice respondent utility appeared and filed reply to the complaint of consumer para wise on 16.06.2016. Respondent utility submitted that the said consumer supplied the meter 02312238 and since the supply use for commercial purpose final reading recorded in the month of Feb. 15 billing is 1207 units. However consumer bill only for 198 unit the spot inspection or the premises was occurred by section officer on 10.02.2015 on the reading was found on the meter 10137 which is correct as recorded reading on the said meter in the month of March 2015. The consumer was billed of unit 8930 which was actually recorded on the meter. Hence the bill is issued in the month of March 2015 for amounting Rs. 95,150/-. According to utility reading recorded on the meter is correct. Therefore the provisional assessment was not given the but the bill was issued as per actual recorded unit found during inspection in the meter. However consumer paid regular bill till Feb. 2015. Respondent utility submitted that the incidence photo scam editing detecting of reason against which FIR 94/2015 under section 420, 465, 467, 468, 470, 471, 34 file in Mulund police station on 30.02.2015. It is submitted that CPL of the

consumer was taken which shown normal consumption recorded and use by the consumer for the period April 2015 to Jan 2016 was found approximately 1000 units as per requested made by consumer on 19.01.2016. The meter No. 2312238 was tested at the site and result slow the meter was fast by +67.12%. Accordingly the said meter was sent to testing division for further checking and it is observed that pulse of meter does not indicate. As per checking of report the B80 for amounting Rs.32588/- has taken in the month of March 2016 and Rs. -15824/- taken in month of 2016. According to utility the complaint of the consumer is resolved respondent utility pray for dismissal of complainant with cost. The consumer and respondent utility filed document of meter testing report dated 10.05.2016 testing report of old meter of 10.02.2016 and 08.02.2016 copy of CPL, copy of bill issued in the month of Feb. 2016 for amounting Rs. 97930/- revised bill was issued to the consumer and consumer deposited Rs.25000/- thousand against the said bill.

After perusing the all relevant documents, following points arose for our consideration.

1. Whether bill issued in the month of March 2015 illegal and exorbitant.
2. Whether consumer entitled to received revised bill.
3. What order?

Reasons

1. We have given opportunity to the consumer and his representative who appeared before the Forum 28.06.2016. The grievance of the consumer was heard by us. It appears that consumer raised the dispute for receiving exorbitant at and incorrect bill in the month of March 2015. According to consumer the meter testing report which was made at the spot and testing report in the laboratory which was place before the Forum was minutely perused the lab testing report of the meter 10.05.2016 indicate the pulse of meter does not indicate it means that meter is fault. Therefore faulty status of meter category for

the purpose of revision of bill which is applicable. However the respondent utility calculated the bill on the report of 67.12% fast meter record and calculated the bill the variation of two meter testing report place before the Forum. The lab testing meter report which indicated that the plus meter not in indicate and it comes according to us as faulty meter status and therefore calculation of fast meter recording 67.12% bill earlier calculated by the respondent utility appears to be incorrect and improper. To my view the average calculation of unit which is earlier recorded till the faulty is detected and complaint made by the consumer. The average of 3 month basic unit ought to have been calculated. The meter testing charges paid by the consumer on the request found the meter is fault and it is not the lacuna of the part of consumer. Therefore the grievance raised by the consumer appears to be correct and required to be rectify as per process laid down in case of faulty status of meter the average of 3 month basic record unit ought to have been calculated for claiming the revision of the bill and accordingly the respondent utility required to follow the processor as per rules and regulation mention in the I.E.A.2003. Therefore I found substance in the complaint of the consumer and which is required to be allowed. Hence I proceed to pass following order.

ORDER

1. The consumer complaint No. 41/2016 is allowed.
2. The respondent utility directed to recess and revised bill on the basis of 3 month average consumption recorded as per CPL and calculate the unit earlier bill issued in the month of march 2015 illegal, exorbitant and liable to be quash and set aside with stands withdrawn.
3. The consumer entitled to receive compensation from the respondent utility in the circumstance amount of Rs. 1000/- shall be credited in the account of consumer towards cost.

4. To consumer shall pay the bill revised issue to him by respondent utility calculation of 3 month average bill in the case of faulty status of meter.
5. The consumer is at liberty to pay revised bill in 3 equal installments no interest and penalty shall be charge.

Proceedings closed.

Note:

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