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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. 573	Hearing Dt. 10/02/2015
Shri. Viraji Narayan Patel	- Applicant
Vs.	
M.S.E.D.C.L. Vashi Sdn.	- Respondent
Present during the hearing	
A - On behalf of CGRF, Bhandup	
1) Shri. Anil P. Bhavthankar, Chairperson, CGRF, Bhandup.	
2) Shri.S.B. Bhalshankar, Member Secretary, CGRF, Bhandup.	
3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.	
B - On behalf of Appellant	
1) Shri. Suraj Chkrabourty – Consumer Representative	
C - On behalf of Respondent	
1) Shri. P.V.Samudre, Addl. Executive Engineer,Vashi sub division	

ORDER (12/03/2015)

Above Named complainant filed this compliant against respondent MSEDCL O&M Vashi sub division stating that he is consumer of respondent having LT industrial connection and his consumer No. is 78520042 Connected load available on the meter 45 HP as per calculation of consumer Respondent MSEDCL issued supplementary bill Rs. 179170/- and unit 90463 alleged consumer by the consumer for accucheck report on inspection disclose slowness of meter the reading of the said meter was convert of consumer on 17/10/2014. It is alleged that consumer after recording said provisional bill after testing report 21/10/2014 for unit 90463 valued 7,19,170/- was disputed the respondent utility same letter to consumer to deposit said bill and return for disconnection as a

consumer being aggrieved by the said letter of respondent validation of meter Rule 56.4 billing in the event of effective meter net calculated the consumption properly. Therefore consumer made compliant of IGRC on dated giving hearing of both side dated. 14/11/2014 and opinion that utility to give revised bill of 3 month charge meter consumption of 12 month proceeding to 2 month prior to the month of billing and consumer was directed to pay the said bill on installment and thereafter the bill was issued to the consumer on November 2014 in which the arrears of 2,27,230 was claim the bill was 11/12/2014. Being aggrieved by the said by the said bill and letter dated 14/12/2014 and consumer filed the said complaint. It is contention of consumer validation 56(2) in case of calculation in the event of effective meter unit and the average unit his not calculate properly.

It is contention of consumer the respondent utility required to calculate 3 month average bill according to 12 months average. It is not properly calculated by the respondent utility consumer delight on the judgment pronounce by the Forum earlier in consumer case No. 248/2009 consumer also released the provision 56.4 direction given in MERC supply code.

After filing the said complaint on dated 29/01/2015 notice was issued to the respondent. Respondent appeared and filed reply.

It is contention of respondent connection given to the consumer in the month of December 2000. The sanction load of the consumer 36 KW connected load found in the premises 51 KW total load consumed by applicant 87 KW the recovery period. Against the consumer for using the said unit calculated to May 2013 to September 2014 as per letter of meter testing report dated 21/10/2014. The report disclose slowness of meter 44.34% CPL of the said connation was verified for the year June 2012 till date of inspection and the unit was calculated 90463 on which energy charge final consume charge electricity bill on tax was calculate as per the non **discard** under the Rules the units 100% consumption was calculated and total amount Rs. 719170/- was properly calculated letter issued to the consumer by respondent date 20/11/2012 informing sanction of 45HP load from dated 16/11/2012 in spite of that consumer using the load 89 HP on the said connection. Therefore the consumer is utilizing additional load the consumer is also using the said connection for the period October 2012 – November 2012, October 2013- November 2013, September 2014- October 2014 as per CPL in this 2 months consumer is using excessive load as per the Rule MERC 15.4.1 12 month average of consumption billed for 3 months in the said calculate. The use actually unit consume by the said consumer is excess. Therefore the calculate average unit comes higher side as per the record of unit consumption 55.66 calculated 204021 is 100% consumption out of which 55.66% already recovered during the disputed period and therefore remaining unit

calculated 44.34% recovery of consumer as the consumer is using excessive unit of sanction load which extend 89HP. Therefore the said consumer false in the category of LT special accord to tariff circular by consumer 120/16/09/2010 the special Rule is applicable in month of April 2013 old meter No. 218786 was charge and the new meter is installed No. 6259861. Therefore in the month October 2014 against the said meter no 6269088 is charge and new meter is installed 6269088 as the consumer used excess load on the said connection on meter testing report. The delay was loss and F phase of CT is burned due to reach it resettled of slowness of meter 44.34% slow was found which is reported by meter testing division and therefore the respondent properly calculate the unit and therefore the consumer is liable to pay recoverable charges with penalty and interest as per Rules.

I have perused the contention of consumer and the reply given by respondent on 29/01/2015. I gave opportunity to consumer and his representative to submit the agreement for the contention raised in complaint. I also perused CPL of the said connection of consumer. I have also perused circular No. 120/16/9/2010. I have consider meter testing report filed on the record by respondent utility.

It appeared form the dispute during the hearing actual calculation of the reading of the said meter for the disputed period 13 May –September 2013 for 17 month was calculate 113558 unit as per the report the was slowness of meter 44.44% which calculated for $113558 \times 44.34/55.66$ which comes 90463 out of 20.40.27-13558. Because calculated remaining units comes 90462 such as in the month of November 2014 maximum unit calculate 3380 December 2014 4534 unit in the month of October 2012 4904 unit in the November 19554 unit in the October 2014 no display in the meter October 2013 2244 unit was calculated as such I have also verified the calculate reading of slowness of meter recorded 45.66 and remaining 45.34 unit was properly calculate.

To my view the respondent utility calculated the said unit accordingly to Rules and rated applicable for the consumed unit is in accordance with circular 120/16/09/2010. There is no other document filed by consumer of charge of the calculation required to made by respondent utility.

I have also pursued I provision of MERC Rules 56.5 and according the calculate the made by the respondent utility by slowness of the meter 44.34% in proper. I do not found any force in the contention of consumer required to calculate the average consumer as the consume as the consumer is at fault using excessive units that sanction load connected to him on meter. I have also the consider the event the burning meter three times earlier in the month of April

2013 –October 2014 the obviously the reason the burning the meter disclose excessive use load and the display is lost. Therefore the consumer is using excessive unit as slowness of meter reported 44.34% and therefore there is no much force in contention of consumer is found recalculate which was made at the time of hearing disclose the proper method used by respondent utility the calculation of his accordance Rules as the consumer is as fault and therefore he liable to paid additional consumer of charge in additional of electricity charge fule FCA electrify duty and tax on sale as it is correctly reported by respondent. I do not agree before contention raised in the said hearing is no proper the order which pass IGRC does not exist and therefore respondent utility is entitled to claim the recovery of excessive unit reported of slowness meter 44.34% slow for the period against the consumer in accordance with Law. Therefore the consumer court his liable be with cost.

I have perused I the situated judgment reported in view of observation of the said Case No. 12/2008 dtd. 29/08/2008 calculation method given in the said judgment is properly followed by respondent utility.

ORDER

- 1) Compliant No. 573 is stands dismiss with cost.
- 2) The Respondent utility entitled to recover excessive unit charge recorded accordance with Rule.
- 3) The consumer shall pay amount of Rs. 2,27,230/- as per bill for the disputed period December 2013 to November 2014.

Proceeding close.

Both the parties be informed accordingly.

Compliance should be reported within 45 days.

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.

DR. ARCHANA SABNIS
MEMBER
CGRF, BHANDUP

ANIL P. BHAVTHANKAR
CHAIRPERSON
CGRF, BHANDUP

S.B.BHALSHANKAR
MEMBER SECRETARY
CGRF, BHANDUP