

(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/

Date

Case No. 605

Hearing Dt. 29.10.2015

In the matter excessive bill to consumer No. 481532434

Shri. Govind Jetha Gami

- **Applicant**

Vs.

M.S.E.D.C.L. Vashi, 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) Shri. Suraj Chakraborty – Consumer Representative

C - On behalf of Respondent

- 1) Shri. P.V.Samudre, Addl. Executive Engineer, Vashi Sub Division

ORDER (27/10/2015)

1. Above named consumer has filed this complaint against the respondent utility stating that he is consumer of respondent utility since 16.04.1985, having LT connection under consumer No. 481532434 connected load 0.9KW to his residential address A-16,sector-15,Vashi.

2. Consumer submitted that he is using single Phase LT Residential connection since 16.04.1985. His meter number attached to connection was 132779 before the change of meter. The meter was changed in the month of June 2012 and new meter no is 01576624. According to consumer he has paid the bill of Rs. 920/- on 30.08.2013. But in the month of September 2013 respondent utility issued accumulated bill for Rs. 19,230/-.
3. After receiving the said bill consumer filed complaint for excessive billing. Consumer also states that his premises were locked and there is no much use of electricity. On November 2013 respondent utility issued bill to the consumer on 1/9/2014 and in the month of January 2014 the supply of consumer was disconnected without any notice. Consumer demanded clarification for issuing exorbitant bill when there is no use of electricity. Consumer also requested for checking the old meter in laboratory.
4. After receiving the exorbitant bills in the month of June, July and August 2015, consumer filed complaint before IGRC (case No. 36 of 2014). On 20.10.2014 IGRC gave opportunity of hearing to both the parties and passed order on 29.11.2014, directing consumer to pay the bill as meter testing report was OK and consumer actual had utilized the energy valued and bill for check of amount. IGRC also given option to pay accumulated bill by installment and also directed to check the meter in laboratory in presence of both the parties.
5. Being dissatisfied with the order of IGRC present consumer filed grievance before the Forum and requested for withdrawal of illegal bill. The complaint is filed before the Forum on 25.8.2015 through Representative Shri. Suraj Choakraborty. The consumer has also prayed for condonation of delay as he had gone to Gujarat to his native place.

6. After filing the said dispute, notice was issued to the respondent utility. Respondent utility appeared and filed reply stating that old meter No. 132779 was installed to the premises of consumer on May 2012. The said meter having reading FR- 4118 & IR-0001 was replaced. Once again the meter was replaced on 19.10.2013 due to consumer complaint regarding billing of the meter no. 01576624 (reading taken at the time of replacement was FR -11204 and 2234007 on IR 00001).
7. Therefore in the month of November 2013 respondent utility issued bill to the consumer for units recorded on old meter 7140 (11204-4064) plus new meter recorded unit 67(68-1). Thus total units considered for billing were 7207. According to utility the meter No. 01576624 was tested at Vashi testing division on 23.12.2013. The report of the meter was OK. According to CPL on June 2013, the bill was generated and issued to the consumer as per units recorded on old meter and consumption pattern for the use of residential. Thus the bill issued for 7140 units to the consumer is proper and the consumer is required to pay the bill.
8. The respondent utility was also given an opportunity to file the documents. Accordingly the copy of CPL, photograph of the meter, copy the old bill, meter replacement report and MRI report of old meter were filed on record. Consumer and Respondent utility appeared on 07.10.2015 and 15.10.2015 Utility Officer filed report that they have considered 1192 units actually used and bill of 7709 units was reduced to Rs 98,740/-.
9. We have given opportunity to both the sides to file the documents and complaint was heard.
10. It appears from record that respondent utility relied on record of CPL for calculation and assessment of units and issued the bill for alleging

consumption of unit 7207. This calculation method adopted by utility is illegal as per Regulation. If meter is faulty or there is no display, the assessment of bill for 3 months, considering consumption consumer pattern when reading was OK. Assessment has to be made for calculation of monthly consumption of units. During the hearing photograph of meter which is produce before was available for the recording of unit on 19.10.2013 second meter which is replaced on Admittedly, the record and MRI and of old meter bearing No. 132779; no data is available. Therefore error is committed while calculating units by respondent utility.

11. Therefore we have found that there is violation of guidelines (in the event of faulty and stop meter) in assessment of bill. Therefore bill which is issued was excess and not in accordance with Rules and Regulation. Hence the bill is liable to be withdrawn and set aside.
12. During the course of hearing the calculation and assessment of consumption of units by the consumer is considered for the disputed period.
13. In the month of September 2013 bill issued was of Rs. 19231/-. In the month of November bill issued was of Rs. 109014/-. In the month of January 2014 there was disconnected for nonpayment of dues.
14. According to record the meter was changed in June 2012 and second time it was changed in October 2013. The meter change effect period is two months. Therefore average bill for two months was considered by utility and consumption was assessed for 7000 units in December 2013. Thus the bill for Rs.1,00,000/- was raised, which required the adjustment. Therefore we issue directions to respondent utility to calculate the average bill for the disputed

period. According to bill for 3 months and assessed recovery of Rs. 12,280/- the consumer is not liable for any interest and DPC form the said amount.

15. It is observed that in this case permanently disconnection was already made in January 2014 as it is more than six month from the date of PD, no order for restoration of supply can be pass in this event.

16. The respondent utility is bound to refund security deposit with interest. The consumer should apply for new connection as per Rule.

Hence, we allow the consumer complaint and proceed to pass following order.

ORDER

- 1) Consumer Complaint No. 605/2015 is partly allowed.
- 2) The respondent utility is directed to access and calculate the average units for 3 months for disputed period and approximately amount of Rs. 12,280/- is recoverable.
- 3) The respondent utility shall not charge any interest and DPC on recoverable amount.
- 4) The respondent utility shall refund the SD amount with interest to consumer.
- 5) The consumer is at liberty to apply for new connection on as per Rule.

No order as to cost.

Both the parties should be informed accordingly.

Proceedings disposed off.

Compliance should be reported within 30 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.

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**