

**5(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.

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REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/

Date

**Case No. 611**

Hearing Dt. 28.10.2015

**In the matter of billing**

**Mrs. Naina Santosh Choudhari**

- Applicant

**Vs.**

**M.S.E.D.C.L., Shil, 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. Pravin D. Thakkar, Consumer Representative

C - On behalf of Respondent No. 1

- 1) Shri. J.U. Mahajan, Assistant Accountant, Shil Sub Division.

**ORDER (passed on 02.12.2015)**

1. Above named consumer has filed this compliant against respondent utility because he received aggregate demand bill of Rs. 15,270/- on 21.07.2015.

2. The consumer has residential electric supply to his House situated at Sai Group Building, Shaniwarvada since 25.02.2014, sanction load 0.30KW, connected load 0.30 KW. The above said supply is used as

LT-I residential phase 01 by consumer since the date of connection. The consumer submitted that he did not receive bills as per consumption since the date of connection. On receipt of aggregate demand bill of Rs. 15270/-on 21.07.2015, he approached the respondent utility, raising an objection for this accumulated bill. He also lodged a complaint with Executive Engineer on 21.07.2015.

3. The old meter was replaced and new meter was installed bearing sr. No. 12042793. During the hearing of complaint, we did not receive meter testing report of old meter. Consumer raised objection to this bill and prayed for the revised bill and correction in bill as 3 KW instead of 30 KW.

He also prayed that the interest and DPC charges be waived off.

4. On this complaint respondent utility filed its reply and stated that on 15.06.2015 the consumer requested for testing the existing meter and accordingly correct bill was issued to consumer no 000467055585. It is submitted by utility that on 20.07.2015 assistant Executive Engineer, Diva sub division, Section-I made inspection of premises and found that the consumer was receiving bill on average consumption of 100 units per month with a remark of "faulty meter". Thus the meter was replaced on 20.07.2015.

5. It was seen from the CPL record of the consumer that the consumer was issued average bill for 113 units. Thereafter B-80 for Rs. 11749.05/- was effected in billing cycle of September 2015 and accordingly the utility issued revised and corrected bill to the consumer.

6. After the said reply IGRC gave opportunity of hearing of 14.08.2015 in Case No 29 and on 28.09.2015.

The IGRC issued directions as:

- i. utility to obtain lab testing report of meter and
- ii. issue correct revised bill
- iii. prepare B-80
- iv. proper amount should be credited in account of consumer after making B-80.

7. Being unsatisfied with decision of IGRC the above named consumer filed grievance before this Forum and prayed that

- i. the bill issued by respondent should be withdrawn
- ii. slab wise tariff as per rule should be applied
- iii. interest and DPC should be waived off.
- iv. average consumption of unit should be properly calculated.
- v. After installation of new meter and during the billing dispute the consumed units should be bifurcated for the period of 11 months.
- vi. Consumer should be issued meter testing report.

8. After filing the complaint before this Forum, respondent utility appeared and filed its reply. It is submitted by utility that this consumer was given bill as per photo meter recording in the month of April 2015. In the month of April 2015 meter reading was 1470 units. But the bill which was issued to the consumer in the month of April 2015 had shown reading as 113 units and status of meter was shown faulty from the months from March 2015 to July 2015. The average unit mentioned were 113 which was corrected for

amounting Rs.11749/- the bifurcation of units given to the consumer as below

- 1) In January 2015 the bill was on higher side, showing consumption of 41957 units.
- 2) The said bill was for 11 months and therefore extra charge was not applied for the month from March 2015 to April 2015. The consumer was charged excess bill again in the month of May 2015 to July 2015. Consumer received average bill for the months from March to July 2015. The consumer was charged bill on average units of 113. As per the report of Assistant Engineer, Diva the correction of bill was made. Interest and DPC charged to the consumer was withdrawn. In supplementary bill correction was done in October 2015. Meter testing Report and spot verification report were filed by the respondent utility in view of compliance of order of CGRF.
- 3) We heard both the parties and also verified records placed before the Forum.

After perusing the dispute of consumer and respondent utility, following points arose for our consideration:

- a. Whether respondent utility issued incorrect bill to the consumer and wrongly recovered excess charges along with interest and DPC.
- b. Whether consumer is entitled to any relief.

9. On perusing the records it appears that consumer is using residential supply under the category of o1 LT-1 Residential phase -I and connected load is single phase 3 KW. Date of connection is 25.02.2014. According to records placed before us, the consumer

was receiving bill for 100 units on the basis of average consumption per month. The dispute was raised by the consumer when he received accumulated bill for consumption of 1470 units on 25.02.2015. Particularly in the month of March and April the bill was showing consumption of accumulated units. Respondent utility's Officer visited premises and inspected the site on 20.07.2015. As per record old meter was replaced and new meter was installed in the premises of consumer on 21.07.2015, bearing new meter Sr. No. 3243793. The dispute is raised by the consumer to adjust accumulated units shown in the bill, by dividing it for 11 months period.

10. Accordingly, the respondent utility has already charged excess amount in the bill along with interest and DPC. The record shows that the meter was faulty and not showing proper consumption of units for considerably long time. In such case the respondent utility is required to follow proper procedure laid down in Regulation No. 15.4 and also the appropriate Circulars.
11. According to Regulation SOP 15.3, when the meter reading is not recorded, the consumer is required to be charged on the basis of average of 3 months; for the period of six months. In this case, respondent charged the consumer from 25.02.2015 to September 2015 for 22 months. Therefore consumer appears to be justified in raising the dispute.
12. During the process of hearing respondent utility submitted that they have divided disputed period and have spread it for 11 months considering average of 497 units per month. During the hearing we had called for the CPL and other records of utility. On perusal of

those records it appears that average monthly consumption of this consumer is @ 300 units per month. As per the SOP, consumption for 3 months prior to the detection of defective meter should be considered for proper calculation. We have also considered subsequent 3 months reading and actual consumption of unit recorded on new meter. Accordingly the consumption considered is 300 units per month.

13. The prayer of the consumer to charge minimum units cannot be considered when the record is available for actual units consumed.
14. We found that there is substance in the dispute raised by consumer. Thus, we are inclined to allow the complaint and proceed to pass following order.

### **ORDER**

- 1) The consumer complaint No. 611 /2015 is partly allowed.
- 2) The respondent utility is hereby directed to issue revised bill to consumer for disputed period from January 2015 to July 2015 on the basis of average monthly consumption of 300 units and shall prepare B-80.
- 3) No interest and penalty should be charged.
- 4) The utility is directed to give proper credit to the consumer.
- 5) The consumer also shall get the correction done in the electricity bill showing sanction load and connected load 3KW.
- 6) No order as to the cost.
- 7) Both the parties be informed accordingly.
- 8) Proceedings closed

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