

**Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup**

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/
Case No. 370

Date :
Hearing Dt. 04/03/2011

**Interim cum final order
In the matter of bill dispute.**

M/s. Sai Satish Metal Finishers Pvt. Ltd. - Applicant
Vs.
MSEDCL (Airoli Sub Division) Vashi - Opponent

Present during the hearing

A] - On behalf of CGRF, Bhandup

- 1) Shri R.M Chavan, Member Secretary, CGRF, Bhandup.
- 2) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

B] - On behalf of Applicant

- 1) Mr. Suraj Chakraborty – Consumer Representative

C] - On behalf of Opponent

- 1) Shri J.R. Reddy, Dy. Ex. Engr. Airoli Sub division.
- 2) Shri S.V. Jadhav- L.D.C.

ORDER

M/s. Satish Metal Finishers Pvt. Ltd is a industrial consumer with sanction load of 65 H.P with contract demand of 56 KVA under service no. 000111333858 at plot no. W-267 (A) TTC, Rebale, Navi Mumbai. Utility served him a notice of disconnection on 25/02/2011 for non payment of arrears amounting to ` 4, 37,188/- and due to this threat of disconnection consumer approached to this Forum. Accordingly case was registered vide case no. 370 and hearing was fixed on dt. 04/03/2011.

The matter was heard on dt. 04/03/2011. Both the parties present on behalf of consumer Shri Suraj Chakrabourty was present to represent the case. He stated as follows:

As per his perception utility has replaced this consumer's meter in the month of December 2009 for its non-working. The final reading of the old meter was 423905 whereas the initial reading of new meter was 1.

He further reiterated that the utility had wrongly fed the meter replacement date as 10th March 2010 in their billing system and raised the provisional bill for 65477 units in the month of June 2010. When the utility realized their mistake that this bill is raised for one month which was accumulated for the past period. The utility corrected the bill considering the replacement of meter is in March 2010.

This meter was actually replaced in the month of Dec 2009. Accordingly should utility have revised the bill splitting the accumulated consumption over the period of Jan 2010 to June 2010.

He also claimed that the consumer had already paid the bills which were charged on average basis from Jan 2010 to June 2010 amounting to ` 2, 40,440/- Utility should take in account this amount while rectifying the bill and should waived the DPC and interest thereon.

The Applicant consumer insisted to charge the penalty as against the SOP for incompetency of billing staff for non feeding the meter details in time in their billing system.

The Applicant consumer also demanded a compensation of ` 5,000/- for the wastage of his valued time and mental harassment. He also prayed for six equal installments in rectified bill for clearance of bill arrears.

During the course of hearing he repeatedly stressed on his basic grievance about the inflated bill served by the utility in the month of June 2010 considering the replacement of his meter in the month of March 2010. but as per consumer's view it was replaced in month of Dec 2009.

Mr. J.R. Reddy Dy. E.E. Airoli Sub division along with S.V. Jadhav L.D.C. were present on behalf of utility (hereinafter referred as the Opponent).

The Opponent filed his written statement on 04/03/2011 stating as the consumer's meter was replaced on 10th March 2010. They also produced the copy of gate pass of meter dt. 05/03/2010 and its replacement report dt. 10/03/2010.

They further submitted that from 10th March to 10th May the average units charged in totality were subsequently withdrawn and bill was corrected for Jan and Feb 2010 on the basis of new meter consumption.

While explaining the process for obtaining the new meter, the Opponent clarified that the meters are issued in group by Vashi division at store to the concerned sub divisions for maintenance work and new connection release. The sub division handed over these meters to the testing division to ascertain the preciseness of meter as claimed by meter make company.

After due testing of these meters, the testing division handed over tested meters to sub division along with the result to on field at failed work. The sub division distributed these meters as per the requirement of section office. On directions of Forum, the Opponent agreed to submit the relevant copies of gate passes and movement register entries before the Forum. Accordingly they submitted the same on 08/03/2011 with original documents for verification.

The Opponent conceded that it is very much clear and explicit from the record that the Applicant's meter was replaced on 10th March 2011 and not in December 2009 as claimed by the consumer. Hence claim for SOP and compensation does not arise.

The matter was heard on 04/03/2011. Both the parties were present along with their submission. The documents on record and proceedings during the hearing reveals that consumer's CT operated 100/5 amp meter's display was missing from December 2009, which was notice by the Opponent in March 2010. The utility billed this consumer for an average unit of 120, 20000, 5000, & again 5000 for the month of Jan 2010 to May 2010 respectively. It is also on record that utility issued a bill for accumulated units of 65477 in the month of June 2010 which subsequently corrected by splitting over the period of March 2010 to May 2010.

Having carefully gone through the documents on record submitted by the Opponent regarding the movement of meter and procedure of its procurement it is undisputedly beyond doubt that the Applicant's meter was procured from Vashi divisional store for maintenance work on 13/01/2010 which was tested by testing division on 18/01/2010. From the entries of meter movement register of Airoli sub division, it is observed that the said meter was issued to section office (Rabale) on 05/03/2010 and Rabale section office issued this meter to Shri Muthe (a line staff) on 09/03/2010 for replacement of Applicant's faulty meter which was subsequently used to replaced on 10/03/2010.

From the available authentic data Forum has no hesitation to conclude that meter was replaced on 10/03/2010 and hence Applicant's prayer to split the accumulated units 65477 over a period of Jan 2010 to June 2010 is unsound and baseless and hence deserved to be rejected.

As regards to the correction of bill which was charged on average basis by utility during the non-working period of meter i.e. from Jan 2010 till its replacement should be withdrawn and should be assessed on the average available consumption data preceding 12 months from the date of non working of meter.

It is also necessary to put on record that utility should take in account the payment made by the Applicant against the average assessed bill for period of Jan 2010 to May 2010 while rectifying the bill. Utility should not imposed any DPC and interest while raising the demand for a month of Jan 2010 till replacement of meter while assessing on past average consumption.

As regards to the demand of SOP by the Applicant it is observed that the utility replaced his meter well within the period of three months as prescribed by the commission. Hence no case has made out to award the SOP.

As regards to the Applicant's prayer for compensation against the mental harassment and wastage of time etc. the details are not submitted to substantiate the claim. And hence rejected being devoid of merit.

No order as to cost

Both the parties Both the parties be informed accordingly.

Compliance should be reported to this Forum within one month after receipt of the order.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 14th March 2011.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal 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 go in appeal before the Hon. High Court within 60 days from receipt of the order.

MRS. M.P. DATAR
MEMBER
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP