

Preamble

M/s. Suncon Engineering Pvt. Ltd. is a 3-phase commercial consumer at unit no. 411, Bldg. No. 2 (A-3) sector-1 millennium Business Park, Mahape under consumer no. 00043743405. This connection was released on 06/04/2009 by the Utility and since then consumer was billed on minimum basis. In Dec. 2009 consumer got the bill of Rs. 136600/- for accumulated consumption of 17840/- units. The Applicant consumer requested Utility to verify the facts and rectify the bill as per his use. The Utility conveyed the Applicant consumer vide its letter dt. 05/02/2010 that the bill is correct and should pay in due time with the threat of disconnection of his power supply. With this threat of disconnection the Applicant consumer approached to this Forum for interim order and the grievance was registered on 13/04/2010 vide case no. 324 and accordingly hearing was fixed on 15/04/2010.

Consumer Say: -

Shri. Kisan Biaswal the Representative of consumer and Shri Rajendra Babarao Magar, consumer was present during the hearing to represent their side. As per their statement the Utility has released 3-phase commercial connection in the month of April 2009, since then Utility were billing them on minimum basis, as there was very meagre use of electricity. The Applicant consumer never verify the reading of the meter. Moreover the meter was in lock and key, which was maintained by Utility officials. In Dec. 2009 Utility officials suddenly sent him a bill of Rs. 136600/- and insisted for payment of total bill in its due

period of time The Applicant reiterated that after rigorous correspondence the Utility fixed up a series meter and shown us that their meter is working properly. On 22/02/2010 the Utility officials disconnected their power supply for non-payment of this exorbitant bill. The Utility officials insisted for payment of part of the bill amount. The Applicant paid under protest a part of bill amounting to Rs. 35000/- and get the supply reconnected.

As per the applicant statement their bill should not be more than 10-12 thousand rupees as there is very less use of electric supply. They show their inability to pay such huge amount of bill.

Prayer of the consumer:-

- 1) To rectify the bill to the tune of Rs.10 to 12 thousand.
- 2) To refrain utility from disconnecting their electric supply for non-payment of electric bill.
- 3) To test the meter for its accuracy in their presence.

Utility Say :-

On the behalf of utility Shri C.R. Mishra the Ex. Engineer Vashi division and Shri Khadke Dy. E.E. Kopar Khairne subdivision were present to plead utility side. They admitted that due to non-feeding of meter details by the billing department the reading of the meter could not updated and hence in early period i.e. form the date of connection released to Dec.2009 consumer was billed with zero unit's consumption. In the month Dec. 2009

concerned sectional incharge reported the above fact and accordingly meter detail were fed to billing data and bill for eight months was generated for an amount of Rs. 145362.59/- which was for accumulated units of 18487/- However the necessary slab benefit was given to the consumer, the corrected bill is amounting to Rs. 136600/- Moreover the consumer's meter also checked by providing standard meter in series with the consumer's meter, which reveals that consumers meter, is working with the permissible limit of error.

The Opponent produces the photographs of meter reading taken in the month of Nov. 2009, which shows, the reading on meter was 16833 kwh but system was not accepting this reading for the billing purpose, as the meter details were not fed to the billing system.

The Opponent reiterated that the above facts shows that the progressive reading in month Nov. 2009 and Dec. 2009 is enough to prove that there was use of electricity in the premises of the consumer.

The Opponent requested to the Forum to direct the Applicant consumer for payment of balance bill amount.

Observation :-

The matter was heard on 15/04/2010. The Chairman was absent and hence the hearing was proceed by Member secretary and Member. Both the parties were present. Documents on record and arguments during the hearing reveal that the utility has given sanction of 20KW load for commercial use in April

2009 but fail to update the metering record on their ledger which leads to faulty billing of consumer with zero consumption and due to which monthly updating of consumers reading was not possible.

The utility therefore unable to record the consumption from April 2009 to Nov. 2009 and issued bill of 8 month in the month Dec 09 for an amount of Rs. 136600/- for the accumulated consumption of 17840 units. It is also on the record that the necessary slab benefit is given to the Applicant and Applicant has paid Rs. 35000/- as a part of bill on 22/02/10 vide receipt no. 1328323.

During the course of hearing Forum raise the quarry to the Opponent utility whether the initial reading of the meter while releasing the new connection was wrongly quoted which leads to excess billing of the consumer.

In response the utility produces the copy of new service connection report, it contains all the details of meter including its initial reading which confirm that it was 1 kwh. Hence the possibility of wrongly feeding of initial reading is also ruled out.

Form the photographs showing the meter reading in the month of Nov. 2009 submitted by the utility it clears that the reading on the consumers meter was 16833 kwh while in the month of Dec. 2009, the reading was 18443 kwh this shows that the Applicant has used $(18443-16833) = 1610$ units in one month. Perusal of the above indicated that although the Appellant claims that

his use was very limited, Forum cannot rely upon. However Forum feels that rather it will be fair and proper to get it tested in the testing laboratory in the presence of consumer. Forum therefore directed to the utility to get meter tested in presence of consumer within a week and submit the report. Accordingly the utility tested meter on dt. 20/04/210 in the presence of consumer's representative and produce the copy of the report to the Forum vide their letter Dy. E.E/ KK/S/billing/ 922 dt. 27/04/2010, which shows that meter is working within a permissible limit of tolerance. Hence Forum have no other alternative than to reject the pray of the Applicant as meter is recording energy precisely.

ORDER

- 1) The Applicant prayer for rectification of bill is deserves to be and hereby rejected.
- 2) The utility is free to recover the arrears within the ambit of Electricity Act 2003& rules & Regulations framed under commissions order.
- 3) The case is stands disposed of in terms of this order

No orders as to cost.

Both the parties should informed accordingly.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 27th March 2010.

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