

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

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

Date :

Case No. 176

Hearing Dt. 17/04/2008

**M/s. Ashok Properties**

- Appellant

Vs.

**MSEDCL, Bhiwandi**

- Respondent

**Present during the hearing**

**A - On behalf of CGRF, Bhandup**

- 1) Shri S.L. Kulkarni, Chairman, CGRF, Bhandup.
- 2) Shri S.B. Wahane, Member Secretary, CGRF, Bhandup.
- 3) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

**B - On behalf of Appellant**

- 1) Shri P.D. Thakkar, Consumer representative.

**C - On behalf of Respondent**

- 1) Mr. R.P. Choudhary, Ex. Engr., Bhiwandi circle.
- 2) Mr. Bharate, Asstt. Engr., Bhiwandi Circl

The appellant preferred an appeal against the order of the ICGRU, Bhiwandi which has been registered at CGRF on 31/03/2008 at Sr. No. 176 and the hearing of the same was fixed on 17/04/2008 for which both the parties were intimated to attend with relevant evidence.

**CONSUMER'S (APPELLANT'S) GRIEVANCE:**

As stated in the application consumer's grievance is that he is having a Small office at Bhiwandi and he gets the energy bills on the status of faulty meter and average billing for a long time since 2000. His plea is that faulty status cannot be charged for a period exceeding six months and it had to be withdrawn before 10<sup>th</sup> June 2003 unless meter testing is done. He further states that his energy bills be revised under section 56 (2) right from two years prior to date of his application dt 06/10/2005.

His further prayer is to apply SOP and thereby award compensation from utility for non reading of electrical meter pointing falsely faulty, locked status of meter and thereby charging

wrong energy bills. His first complaint to the utility by his letter dtd. 06/10/2005 pointing out that his energy bills since the year 2000 are continuously being sent to him under the status of faulty and locked. He also requested in the same letter for testing of the meter. He also approached ICGRC, Bhiwandi which in its order gave a parallel justice directing the utility to revise the average bills from Feb-2005 to Jan-2007 (with minimum charges), but not since 2000 as claimed by him. It also did not consider his claim for compensation. Hence he appeal to CGRF.

The consumer also demanded Test Report of the old meter (which is in dispute now in present case), which has been replaced by M/s. Torrent Power Ltd. in Nov-2007. Finally the consumer has asked for compensation towards the mental harassment, which he incurred in different attitude of the utility.

**UTILITY'S SAY:**

The consumer himself has stated that his energy consumption was minimal since being for office premises rarely opened.

The bills from Feb-2000 to May-2002, May-2003 to Sept-2003, Jan-2004 to Oct-2004, Feb-2005 to Nov-2005, Feb-2006 to July-2006, Sept.-2006 to Jan-2007 are issued with faulty status and billing made on average basis.

The bills from July-2002 to Sept-2002 are issued with minimum charges.

The bills during Jan-2003 to March-2003, Nov-2003, Nov-2004 to Jan-2005, Jan-2006 to August-2006 are issued on actual reading.

The consumer had submitted his grievance to the utility vide his application dated 06/10/2005 for correction of his bills. Till then he had paid all his bills.

The ICGRU, Bhiwandi, after hearing both the parties had directed to revise the bills of the consumer from Feb-2005 to Jan-2007 with minimum charges. It has not considered consumer's claim for application of S.O.P. Consequently, the corrected bill of Rs. 3756/- has been issued to the consumer by Superintending Engineer

vides his letter SE/BWD/Nodal Office/Acctts/00811, dated 25/04/2008.

OBSERVATIONS :

Admittedly, the consumer right upto 06/10/2005 was paying the energy bills without protest in whatever form such as faulty meter and average billing. He however approached the utility vide his application dated 06/10/2005 to the utility to get the energy bills as per meter reading based on actual consumption. Although the consumer is claiming the bill revision right from 2000. It is pertinent to note that till 06/10/2005 he was paying the bills regularly without any grievance. It is admitted by consumer himself that his office premises are not regularly opened. Hence the meter reading was not available regularly.

On perusal of CPL of the connection it is revealed that it is for commercial purpose. The utility should revise the bills w.e.f. Feb-

2005 to Jan-2007 with minimum charges, since there is a weakness in the system of charging the bills on faulty status, which is against the regulations. The consumer is not held entitled to compensation towards SOP regulation since his claim found to be being time barred beyond two months. Consumer's request to apply Sec.56/2 of Electricity Act for charging minimum charges two years prior to his application to the utility dated 06/10/2005 does not sound logical since he has already paid the bills prior to 06/10/2005 without protest. More over, the ICGRC has already ordered and effected his past (prior to Oct. 2005) bills for ten months. Which is a relief as per regulations.

There is no concrete proof of harassment to the consumer and hence no claim for compensation is tenable.

The faulty meter has already been replaced.

However, it is found that utility consistently issued him average bills with faulty status and neglected his plea mentioned in his letter dtd. 06/10/2008. This is bound to give mental trouble to any sensible consumer. Although, it cannot be quantified, it is felt proper to award him a compensation of Rs. 3000/- from utility.

### ORDER

- 1) The faulty status meter has already been replaced and consumer has been issued with revised bill of Rs. 3756/-.
- 2) As mentioned in the observation the utility (MSEDCL) should pay to the consumer compensation of Rs. 3000/- within a period of one month from the date of receipt of these orders.

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

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**

**S.L. KULKARNI**  
**CHAIRMAN**  
**CGRF, BHANDUP**

**S.B. WAHANE**  
**MEMBER SECRETARY**  
**CGRF, BHANDUP**