

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

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

Date :

Case No. 257

Hearing Dt. 12/03/2009

**In the matter testing of meter and excess billing**

**Shri Suyesh S. Sule**

- Appellant

Vs.

**MSEDCL, Thane Division**

- Respondent

**Present during the hearing**

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

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

**B - On behalf of Appellant**

- 1) Shri Suyash S. Sule, consumer.

**C - On behalf of Respondent**

- 1) Shri E.P. Sontakke, Ex. Eng. Thane (U) div.
- 2) Shri A.K. Gangwar, Jr.Eng. Gadkari. Sub div.

### **Preamble**

Consumer registered his grievance with this Forum on 25/02/2009 vide case no. 257. He approached to this Forum as he did not get any response from ICGRU, Thane, where he registered his case on 09/12/2008. The hearing was fixed on 12/03/2009. Both the parties were present during the hearing.

### **Consumer say :**

Shri Suyesh S. Sule is having residential single phase connection bearing Consumer No.000018221799 with 0.5 kw load at B-9, Laxman Nagar, next to Aradhana theater, Madanlal Dhingra Marg, Thane (W).

- 1) Consumer's average monthly consumption is around 400/units per month.
- 2) There was alarming increase in units consumed from April-2007.
- 3) Consumer brought it to the notice of utility's staff shri Bhalshankar and shri Patne at Talaopali office, Thane.
- 4) Consumer made the complaint for meter testing firstly in April 2007 but according to him it was tested on 18<sup>th</sup> Feb. 2008.
- 5) However, this replace meter also shows continuously defective and excess readings, hence it should be tested in Lab. in his presence.
- 6) Though he was getting excess units consumption, he was paying all the bills, which he received with exorbitant amount so far.

- 7) Old meter was replaced on 18<sup>th</sup> Feb-2008 as it was found fast by 12%, which showed that meter was defective.
- 8) He therefore requests to the Forum to refund the excess bill amount paid by him to the utility and also regularize the billing pattern.
- 9) Consumer also demanded a compensation of Rs. 50,000/- for this harassment.

**Utility Say :-**

- 1) After observing the CPL, it is notice that the consumer's monthly average consumption is around 747 units per month. After the replacement of meter with new electronic meter, consumption of the consumer remains same.
- 2) As per Forum's order, Junior Engineer (B) section has submitted information that the consumer's old replaced meter no. 3417937 is not traceable in store.
- 3) In the month of August 2008 almost all meters were scrapped and credited to Kalyan Major Store by private agency M/s. Rugved Electrical, Thane. Hence it is not traceable for inspection.
- 4) Old records of replaced meter and B-80 made for Rs. 2062.26 is also not traceable due to shifting of office from Gadkari to Raheja Complex. Records were misplaced but utility is submitting register zerox copy of B-80.
- 5) by observing CPL, it is observed that accumulated units 2274 charged in the month of Jan-2008 may be split up among

previous less charged units as 385, 356, 391 respectively. It is also noticed from CPL, consumer's average consumption shows 747 units per month.

6) Old meter was replaced by new meter no. 21015061 which was tested in testing laboratory in presence of consumer.

7) New replaced meter found OK in Lab. test.

**Observations :**

Consumer alleged that his monthly consumption is around 400 units per month and he was getting abnormal bills after April-2007. Hence he made a complaint to utility for testing of meter but no cognizance was taken by utility. After several visits utility checked his meter on 16/2/2008, which was found 12.18% fast. Accordingly B-80 was made and Rs. 2062.71 was credited to consumer's account.

In the course of hearing the Utility was asked by the forum to submit the credit B-80 which should be along with complaint application made by the appellant in April 2007 but the Utility fails to produce the B-80 documents and the application made by the appellant due to misplacement of records during the office shifting, Hence Forum is constrained to rely on consumer's plea that he had made a complaint for defective meter and for exorbitant billing in April 2007.

The test report on record dt.16/02/2008 of defective meter no 3417967 showing meter 12.18% fast is neither signed by any Utility authority nor by consumer or his representative. Moreover consumer meter number in CPL and in the above report are not matching and hence it's authenticity can not be relied upon.

Forum asked the utility the reason for delay in testing of meter but no concrete reply was given by utility. Not only that but utility was not able to explain the details of B-80 made for Rs. 2062.71. As per utility's view credit may be given to the consumer for fast meter. Utility had not been able to explain why high figures of consumption in certain months such as 934, 1072, 1129, 1030 and the highest consumption recorded in month of Jan-2008, which was 2274 units. The said defective meter was replaced in April-2008 but it was not tested in lab., hence Forum asked the utility to take a lab. Test of old meter as per provision in regulations but it was not available with utility as it was scrapped in August-2008. As such there is no authentic result of the test of old meter based on which bills could be adjusted for the disputed period. In absence of reliable test report, the only option is to compare the consumer's consumption during the past 12 months prior to April-2007. The consumer's monthly average consumption from April-2006 to March-2007 (i.e. previous 12 months) is around 665 units. Hence it would be fair and proper to ask the utility to revise the consumer's bills from April 2007 upto the replacement of defective meter on above basis and credit/debit should be pass to the consumer through next energy bill. and the earlier credit passed for amounting Rs 2062.71 may be withdrawn.

Consumer also demanded a compensation of Rs 50,000/- for mental harassment. During the hearing this issue was not raised by the consumer. Not only that he did not produce any documentary evidences to support his claim, hence rejected.

### **ORDER**

1) As observed above, the consumer's bills for the period April 2007 upto replacement of meter should be revised considering the monthly average consumption form April 2006 to March 2007 giving slab wise benefit and withdraw interest charged if any.

- 2) The amount refunded to the consumer based on approved B-80 amounting to Rs2062.71 should be withdrawn.
- 3) The effect to this order should be given within a month from receipt of this order and Forum be informed accordingly.

Both the parties being informed of this decision.

No orders as to cost.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 31<sup>st</sup> March 2009.

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**

**R.M. CHAVAN**  
**MEMBER SECRETARY**  
**CGRF, BHANDUP**