



**Consumer Grievance Redressal Forum, Kalyan Zone**  
**Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301**  
**Ph: – 2210707 & 2328283 Ext: - 122**

**IN THE MATTER OF GRIEVANCE NO. K/E/094/0107 OF 07-08**  
**OF KIRANKUMAR VASANTLAL JOSHI REGISTERED WITH**  
**CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN**  
**ZONE, KALYAN ABOUT EXCESS BILLING.**

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Shri Kirankumar Vasantlal Joshi

(Here in after

Flat No E-305, Ambika Nagar  
Shahad 421103

referred to  
as consumer)

**Versus**

Maharashtra State Electricity Distribution  
Company Limited through its Deputy  
Executive Engineer Urban Sub 1 Kalyan

(Here in after  
referred to  
as licensee)

1) Consumer Grievance Redressal Forum has been established under regulation of “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conformed on it by section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

2) The consumer is a L.T. consumer of the licensee connected to their 415-volt network. Consumer is billed as per residential tariff. The consumer registered grievance with the Forum on dated 21/05/2007.

The details are as follows: -

*Name of the consumer:* - Shri Kirankumar Vasantlal Joshi

*Address on electricity bill:* - Same as above

*Consumer No:* - 020100017424

*Reason of dispute:-* Amendment bill of 6 months from April 2004 to August 2004 & excess billing in the billing month of January 2006.

3) The batch of papers containing above grievance was sent by Forum vide letter No 988 dated 21/05/2007 to Nodal Officer of licensee. The letter, however, remained unreplied. A copy of letter dated 16/06/07 submitted by Deputy Executive Engineer to Superintending Engineer was sent to Forum.

- 4) All three members of the Forum heard both the parties on 25/06/07 & Member & Chairperson heard both the parties on 4/07/07. Shri J. A. Pardeshi representing consumer and Shri R. V. Shivdas Nodal Officer, Shri D. S. Khanande Deputy Executive Engineer & Shri S. N. Deshmukh Assistant Accountant representing licensee attended hearings.
- 5) The following events are noted from papers submitted by consumer with his grievance application.
  - a) Meter No. 390612 installed at consumer's premises (letter dated 12/01/06 sent by consumer to licensee) was tested by licensee on 15<sup>th</sup> & 16<sup>th</sup> September 2004 & found to be 45.25 % slow as per report sent to consumer by licensee on 21/09/04. Amendment bill of the period of six months from April 2004 to August 2004 amounting to Rs 2773/- was sent to consumer & he paid the said amount in September 2004.
  - b) Above meter (letter dated 11/05/05 sent by consumer to licensee) was replaced & meter No 1182983 was installed at consumer premises in September 2004. Consumer disputed accuracy of this meter suspecting it to be running fast.
- 6) Shri Pardeshi, during hearing on 25/06/07, said that consumer was getting bills as per meter reading from December 2004 to June 2005 & thereafter up to December 2005 consumer got bills on random assessed units showing meter changed position. He further said consumer received bill of January 2006 showing adjustment of 4861 units. He objected to adjustment units 4861 shown in the bill of January 2006 on the grounds that meter

reading of meter No 1182983, at the time of checking of meter on 6/06/05 at consumer's premises, was 2317 & meter reading of said meter, at the time of replacement on 6/07/05, was 7254. The consumption in one month period cannot be as high as  $(7254-2317) = 4937$  units & as such 4861 units shown as adjustment units in the month of January 2006 is incorrect.

- 7) Consumer prayed for following relief in his application.
- (i) Licensee be ordered to revise amendment bill of the period of six months from April 2004 to August 2004 amounting to Rs 2773/- as per law.
  - (ii) Licensee should be asked to withdraw amendment of 4861 units shown in the bill of January 2006.
  - (iii) Licensee should also be asked to revise bill for the period from September 2004 till replacement of meter No 118293 i.e. up to 6/07/05.
- 8) A copy of letter dated 16/06/07 submitted by Deputy Executive Engineer to Superintending Engineer sent to Forum was devoid of any explanation on above objection. Shri Khanande, during hearing on 25/06/07, was asked to clarify on above points & on points raised by consumer in his grievance application.
- 9) Shri Khanande submitted reply on 29/06/07 stating that meter No 1182983 was tested in laboratory on 04/04/07 & found to be abnormally fast & hence declared faulty. Meter seals at the time of testing were in tact. He said based on this meter test result, adjustment units 4861 charged in January 2006 bill of consumer would be withdrawn. He also made submission that based on

meter test result carried out at consumer's premises on 6/06/05 in his presence which shows meter 6.21 % fast, consumer's bill for the period from September 2004 (meter installed at consumer's premises in September 2004) to 6/07/05 would be adjusted accordingly.

10) Licensee had tested meter No 390612 at consumer's presence on 15<sup>th</sup> & 16<sup>th</sup> September 2004 & intimated test result to consumer on 21/09/2004. The meter was found to be 45.25% slow. Licensee's amendment bill of 6 months, based on above test result, of the period of six months from April 2004 to August 2004 amounting to Rs 2773/-, therefore, needs to be revised as per orders contained in Para 46 (c) of Case No 19 of 2004 dated 23/02/2005 of Maharashtra Electricity Regulatory Commission. The abstract of said order reads as:- *Commission directs that the supplementary/ amendment bills issued from 10th June, 2003 (the date of coming into force of EA, 2003) and up to notification of the Supply Code; where meters have been found to be defective upon subsequent due testing (and the results intimated to the consumer), the bills may be adjusted for up to 3 months prior to the date of testing or meter replacement, whichever is earlier, and any amounts recovered in excess refunded without interest.*

11) Meter No. 1182983 was tested in laboratory on 04/04/07 & found to be abnormally fast & hence declared faulty by licensee. Meter seals at the time of testing were in tact. Licensee's proposed action, based on this meter test result, of withdrawing

4861 adjustment units charged in January 2006 bill of consumer needs no further modification.

- 12) Similarly licensee's proposed action, based on test result of above meter ( 6.21% fast ) carried out at consumer's premises in his presence, of revising bills from date of installation of meter to date of replacement of meter i.e. from September 2004 to 6/07/05 needs no further modification.
- 13) Shri Pardeshi agreed to above decisions mentioned in Para 11 & 12, during hearing on 4/07/07.
- 14) After taking stock of entire situation, we are inclined to pass following order.

### **O-R-D-E-R**

1. Licensee should revise amendment bill of six months from April 2004 to August 2004 amounting to Rs 2773/-, as per orders contained in Para 46 (c) of Case No 19 of 2004 dated 23/02/2005 of Maharashtra Electricity Regulatory Commission.
2. Licensee should withdraw 4861 adjustment units charged in January 2006 bill as meter No 1182983 was declared faulty.
3. Meter No 1182983, installed at consumer's premises in September 2004 with initial reading 15, was declared 6.21% fast as per test carried out by licensee on 6/06/05. The reading at the time of replacement of meter on 6/07/05 is considered as 2393 units. (Neglecting reading 7254 noted at the time of replacement of meter on 6/07/05 as meter during testing carried out on

04/04/07 was declared faulty). Thus energy recorded during the period from September 2004 to 6/07/05 works out to be 2393-15 = 2378 units. Since the meter was 6.21% fast, the energy consumed works out to be  $2378/1.0621=2239$  units. Licensee should charge 2239 units only during the above period.

4. The bill prepared on the basis of Para 1, 2 & 3 above should be sent to consumer on or before next two billing cycles.
5. Consumer can file appeal against this decision with the Ombudsman at the following address.

Maharashtra Electricity Regulatory Commission, 606/608,  
Keshav Building, Bandra Kurla Complex, Mumbai 51

Appeal can be filed within 60 days from the date of order.

6. Consumer, as per section 142 of Indian Electricity Act 2003, can approach Maharashtra Electricity Regulatory Commission at the address

Maharashtra Electricity Regulatory Commission,  
13<sup>th</sup> floor, World Trade Centre, Cuffe Parade, Colaba, 400005.

for non-compliance, part compliance or delay in compliance of this decision issued under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressed Forum & Ombudsman) Regulation 2006".

**Date: - 09/07/2007**

**(Sau V. V. Kelkar)**

**(I. Q. Najam)**

**Member**  
**CGRF Kalyan**

**Chair person**  
**CGRF Kalyan**

**(D. B. Nitnaware)**  
**Member Secretary**  
**CGRF Kalyan**