



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/0121/0138 OF 08-09**  
**OF SHRI KESHAV T. SALIAN REGISTERED WITH**  
**CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN**  
**ZONE, KALYAN ABOUT EXCESSIVE BILLING.**

Shri Keshav T. Salian  
C/o.Wardharajan M. V.  
3 B/22, Shivam Complex Co.Op.Soc.,  
3<sup>rd</sup> x Lane, Rajaji Road,  
Dombivli(E)- 400602.

(Here in after  
referred to  
as Consumer)

**Versus**

Maharashtra State Electricity Distribution  
Company Limited through its Deputy  
Executive Engineer, Sub Dn.1(East)

(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 conferred 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. The Consumer is billed as per residential tariff. The consumer registered grievance with the Forum on dated 20/06/2008 for excessive energy billing. The connection in the name Shri Waradrajan M. V. Mr. Keshav T. Salian is the user of the electricity. The details are as follows: -  
*Name of the consumer: - Shri Keshav T. Salian*  
*Address: - As above*  
*Consumer No: - 020011755144*  
Reason for Dispute:- Excessive Billing against slow meter Reading (84.5% slow).
- 3) The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/152 dt. 21/06/2008 to Nodal Officer of licensee. However, the letter is un-replied.

- 4) The Member Secretary & Member of the Forum heard both the parties on 07/07/2008 @ 15 Hrs. In the meeting hall of the Forum's office Shri Keshav T. Salian, Consumer's representative & Shri D. B. Nitnaware Nodal Officer, Shri A. K. Dhawale, Deputy Executive Engineer & Shri S. K. Ambre, Assistant Accountant representatives of the licensee attended hearing.
- 5) The meter No. 10102861 was accucheck by licensee on 02/04/2008 and found slow by 84.5%. The test report is duly signed by consumer representatives. The licensee communicated to the consumer on 08/04/08 to remain present on 10/04/2008 at 11.00 A.M. for meter testing laboratory MIDC Dombivli (E). As per the letter meter was found to be 54.5% slow.
- 6) That he got a letter to remain present at the meter testing. They informed the meter is 84.5% slow and there is no alteration or incretion of any part inside the meter. Hence the same was sealed without lab test. The lab test of meter for various loads was required to be carried out in presence of consumer to confirm the accucheck results.
- 7) The Kanchanalak prepared by licensee has signature of panch & consumer representative. But there is no mention of date on the panchanama. As per panchanama meter was only internally inspected & there is no testing carried out of the

meter. Panchanama also state that there are no abnormalities or changes done in the meter & the meter is slow by 84.5%.

- 8) The licensee has issued the correct bill based on the accucheck report to the consumer on 21/04/2008 for recovery period from January 2008 to March 2008. The revised bill amount is Rs.6550.95 for the assessed consumption of 1314 units and for 3 months (January 2008 to March 2008) was issued to the consumer & the due date was same 18/06/2008. The consumer made the payment for the bill on 17/06/2008 for Rs. 5760/- vide receipt no. 1836475 dated 17/07/2008.
- 9) Consumer wrote a letter to the licensee on 16/07/2006 stating that he has sold the flat to Shri Keshav T. Salian & requested to the licensee for checking the meter and do the needful for further action but licensee could not take any action against this letter upto accucheck date i.e. on 02/04/08. He also written a letter dated 16/06/2008 to the licensee stating that he has not satisfied after the meter replacement & the bill received for the month of May 2008. He is also complained to the licensee for not taking any action on his letter dated 16/06/2008. He also informed to the licensee that he is not ready to pay the excess bill for the amount of Rs. 6550.95.
- 10) Consumer stated that he continuously paid the bill payment. All of a sudden licensee changed his old meter (meter No.10102861) and put the new meter No.9001630312 in April 08 and after one month he received excess bill of

Rs.6550.95. He further stated that he given a letter to Maharashtra State Electricity Distributaion Co. Ltd. (MSEDCL) stating that comparing to his previous bills and according to his less usage of electricity, it is a baseless bill and he is not bound to pay the bill. He stated that he informed the Dombivali office that he has approached the CGRF at Kalyan, so not to disconnect the supply without his knowledge and without satisfying the meter bill. Consumer stated he did not get any response but they arrogantly behaved.

- 11) The Consumer stated that he was given a bill of Rs.6, 550.95 and the last date for making the payment was 18.6.08. But they disconnected the supply on 16.6.08 before the last date of payment i.e. too without disconnection notice. They taken assessed bill forcefully and reconnected the supply at 5.30 PM on 17.6.08 after payment of Rs. 5760/- on dated 17/06/2008.
- 12) The Consumer stated that he also given a proposal for change of name on 1st Jan.07. Checked the meter and paid the transfer fee. There was no response from licensee and still the name is not changed.
- 13) Forum has been forced to give decision on the complaint considering the following points.
  - a). Accucheck report dated 02.04.08 states that the meter is 84.5% slow.

- b). The licensee's letter dt.08.04.08 to consumer states that the meter is 54.5% slow (as per accucheck report)
  - c). The meter was not tested in the **Laboratory** only it was opened and internal inspection was done and the meter was found intact, but meter was declared 84.5% slow without carrying any lab. test as per Pachanama.
- 14) Considering the above points, the forum has come to the conclusion that the only accucheak report is not authentic as it is not being substantiated by the licensee with lab test report (lab test was not carried out by the licensee as per procedure).
- 15) The licensee has disconnected the power supply without following the procedure on 16.06.08 and supply was again reconnected back on the same day. The licensee has violated the Section 56 (i) of the Electricity Act 2003, by this action by disconnection the power supply without notice & before the due date. Hence the consumer has right to get the compensation Rs.200/- ( Rupees two hundred only) for the unlawful disconnection.
- 16) Licensee stated that the meter was tested at site on 02.04.08 and was found 84.5% slow and the same meter was brought to Meter Testing Unit and opened by Section officer on 10.4.08 in presence of consumer. There was no irregularities inside the meter. Slowness may be due to oldness of the meter. After replacement of meter,

consumption has increased. On the basis of recorded consumption of new meter, the assessment is made, giving credit of already paid bills amount during these three months and the final bill is issued to the consumer, as per rules which is correct. The licensee stated that there is no such practice there. Slow meter is directly opened in meter testing unit (MTU) in presence of the consumer and he has signed in the test report. The licensee replied that the disconnection notice was issued but they could not produce the proof.

- 17) At the time of hearing i.e on 07/07/2008 licensee has directed to carry out lab. test of meter within 10 days and submit the lab. test report to the forum and the accucheck meter “calibration report” from Institute For Design Of Electrical Measuring Instrument (IDEMI) but licensee has failed to do so.
- 18) After hearing both the parties, studying all available documents submitted by Licensee as well as consumer, forum unanimously passed following order.

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

- 1) Due to non availability of meter lab. test report (Meter should be tested in laboutaory as per procedure), the amount

charged for slowness of meter i.e. as per accucheck report (84.50%) Rs. 6550.95 is hereby quashed and set aside.

- 2) The compensation of Rs.200/- (Rupees two hundred only) should be given to the consumer, for disconnection without giving notice and disconnection before due date (as per clause no. 15 above) within 90 days from the date of decision.
- 3) The total amount paid by the consumer against slowness of meter recovery should be refunded within 60 days from the date of decision.
- 4) Compliance should be informed to Forum within 60 days from the date of decision.
- 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 this order.

- 6) Consumer, as per section 142 of The Electricity Act, 2003, can approach Maharashtra Electricity Regulatory Commission

the following address:-

*“Maharashtra Electricity Regulatory Commission,  
13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”*

For non-compliance, part compliance or delay in compliance of this decision issued under “Maharashtra



Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003”.

**Date :- 31/07/2008**

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

**(R.V.Shivdas)**

**Member**

**Member Secretary**

**CGRF Kalyan**

**CGRF**

**Kalyan**