



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

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**IN THE MATTER OF GRIEVANCE NO. K/E/314/351 OF 2009-2010 OF SHRI RAMESH R. LAGU, KALYAN (WEST) , REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL.**

Shri Ramesh R. Lagu  
C/o. Anita Arvind Khare,  
209, Anandi Apartment  
Near Gokulpura, Agra Road,  
Kalyan (West) : 421 301

} (Here in after  
referred to  
as Consumer)

**Versus**

Maharashtra State Electricity Distribution  
Company Limited through its Dy. Executive  
Engineer, Kalyan West Sub/Dn No. II

} (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 (MERC) 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 single phase LT consumer of the Licensee. The Consumer is billed as per residential tariff. The consumer registered grievance with the Forum on 22/12/2009 regarding the Excessive Energy Bill. The details are as follows: -

Name of the consumer : Shri Ramesh R. Lagu

Address: - As above

Consumer No : 02002065621

Reason for Dispute : - Regarding Excessive Energy Bill

- 3). The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/994, dt. 22/12/2009 to the Nodal Officer of the Licensee, and the Licensee through Dy. Executive Engineer MSEDCL Kalyan West Sub/Dn No. II filed reply vide letter No. DYEE/KLN(W)/Sub.Dn.II/4051, dt. 31.12.09.

- 4) The Members of the forum heard both the parties at length on 18/01/2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Ramesh Lagu Consumer, Shri P. S. Datey Consumer Representative, Shri S. S. Bakshi Dy. Ex.Engr., Shri T. A. Davis , Jr. Engr., Mrs. S. N. Ratnaparkhi, A.A. representatives of the licensee, attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record. Submissions made by the parties in respect of grievance since already recorded will be referred to avoid repetition.

- 5). Consumer purchased the flat No. 209 in Anandi Apartment in which the meter as above was installed in the month of January 2008 from the vendor Mrs. Khare. According to consumer vendor had paid the

electricity bill upto 22/01/08 as per meter reading 1405 as the flat was closed in the month of Feb. 08 he deposited Rs. 500/- for the consumption of unit 143, in March 08 consumption unit hiked to 539, in April 08 458, however in the month of May 08 consumption unit increased to 811 units. It is contended that though consumer was not using the flat, the above consumption unit should not have been increased than average consumption, therefore, as per his oral complaint dt. 16/04/09 the said meter was tested by accucheck on 20/05/08 and was found running fast and that it was totally faulty and new meter was installed. Consequently as per the instructions of officials of the licensee consumer deposited Rs. 150/- towards average consumption bill. It is contended by the consumer that on 01/07/08 his removed meter was tested in Lab. and was found OK. and on that basis licensee issued recovery bill including interest. The consumer therefore, contended that the licensee be directed not to recover the bill for the relevant period.

- 6) In contra, it is the contention of licensee that as per the oral complaint of consumer on depositing charges his meter was accuchecked on 20/05/08 and that meter was then found faulty, therefore it was replaced in the month of June 08. It is contended that the said meter was tested in Lab. on 01/07/08 and was found % error within permissible limit. As per new meter consumption of 20 units per month bill revision was done by crediting bills from Jan. 08 to June 08 of the amount of Rs. 11,015=15. However, higher authority rejected the same consequently giving 15 days notice consumer's electricity was disconnected on 28/07/09 for arrears of Rs. 11,713/-. In view of the testing report dt. 01/07/08 the bill was revised giving slab benefit. From July 07 to June 08 bills were credited and 2951 units were divided in 12 months as per the revision of bill upto

Sept. 09. In short, it is the contention of licensee that the meter installed in the flat of consumer was 100% within the permissible limit, therefore, the consumer is liable to pay consumption charges as per meter reading for the relevant period.

- 7) On perusal of the record and hearing both the parties following points arise for the consideration of Forum and findings thereon for the reasons recorded below :

Points	Findings
a)Whether the meter under dispute installed in the flat of consumer is faulty ?	No
b)Whether the charged bill for the relevant period is as per the consumption ?	Yes
c)What Order ?	As per Order below

Reasons

- 8) Admittedly as per the oral complaint of the consumer meter No. 02323541 installed in his flat was accuchecked on 20/05/08 and was then found faulty, therefore, it was removed and that when it was tested in Lab. on 01/07/08 was found % within permissible limit. Both the reports are placed on record. The first report dt. 20/05/08 is accuchecked whereas the subsequent is Lab. testing report. For the satisfaction of consumer and for substantial justice, we felt proper to re-check the meter in the Lab. situated within the campus of this Forum and that the competent testing engineer in our presence, and also in the presence of the consumer representative when tested the meter was found 100% within permissible limit, which report dt. 18/01/2010 is on record. This report clearly mentions meter body was OK and it was sealed in all respect . Man may speak lie but not the record. Needless to say, accucheck testing is done on the spot with the

existing load whereas in Lab. meter is tested on various loads therefore, the Lab. test report is authentic and the same can be safely relied upon. We have therefore, no hesitation to accept the Lab. report placed on record dt. 01/07/2008 and the subsequent dt. 18/01/2010. In view of the reports as above, contention of the consumer that the meter installed in his flat bearing No. 02323541 was faulty as per the accucheck report dt. 20/05/08 has no relevance.

- 9) On perusal the letter dt. 31/12/09 issued by Dy. Ex. Engr. Sub-Dn. No. II, Kalyan East, in view of the Lab. testing report the bill of the consumer was revised by the officials of the licensee giving slab benefit. From July 07 to June 08 bills were credited and 2951 units were divided in 12 months to that effect total bill was issued. It is not that the officials of licensee charged bill without giving slab benefit.
- 10) On perusal the record it appears in view of the accucheck report dt. 20/05/08 the officials of the licensee had to revise bill for the amount of Rs. 11050.15 and to send the same for approval and it was turned down but the two Lab. tests referred to above indicate the said action was apt. The result of the entire phenomena is that the officials of licensee rightly claim the bill as per the meter reading as the meter was within permissible limit since beginning. On this background, contention of the consumer that meter under dispute is still faulty and meter reading for the relevant period is improper is devoid of substance.
- 11) The consumer representative urged with force had the licensee immediately after 20/05/08 and not on 01/07/08 tested the meter in Lab., he could have saved his valuable time and mental agony, therefore the licensee is liable to pay compensation to the consumer. It is seen from the record as per the oral complaint on depositing adequate charges by the

consumer his meter was replaced as it was then found faulty in accucheck testing. Lab. is not made available at the spot of each meter and it is not possible to have the Lab at the each meter. Lab. is situated in the campus of the office of MSEDCL. As per the seniority of application meters are to be checked in Lab. under the supervision of Testing Engineer, therefore to check the meter in Lab. immediately as desired by the consumer is humanly impossible and from this point of view, to claim compensation on this count from the licensee is not proper. In short, since the meter twice in Lab. test found OK and the consumption was as per meter reading, the complainant consumer is liable to pay electricity charges as claimed by the licensee. The grievance application therefore deserves to be dismissed. Points are answered accordingly and hence the order :

**ORDER**

- 1) Grievance application stands dismissed.
- 2) Stay Order issued by this Forum vide No. EE/CGRF/Kalyan/996, dt. 22/12/09 is hereby vacated.
- 3) The Consumer can file representation against this decision with the Ombudsman at the following address.

*“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”*

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

Date : 20/01/2010

(Mrs. S.A. Jamdar)  
Member  
CGRF Kalyan

(R.V. Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan