



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 / 681 / 803 OF SMT. CHHAYA NARESH BHATIA, ULHASNAGAR REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL

Smt. Chaya Naresh Bhatia
At – Flat no. 802, Hill Top,
Section No. 17, Takadi Area,
Ulhasnagar : 3, Dist-Thane
Consumer No. 02153056009



Here-in-after
Referred
As Consumer

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Exe.Engineer, Ulhasnagar Sub
Division – III, Ulhasnagar



(Here-in-after
referred
As Licensee)

(Per Shri. Sadashiv S. Deshmukh, Chairperson)

1. Consumer Grievance Redressal Forum has been established under "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. – I (Residential) consumers of the licensee. The Consumer is billed as per Residential Tariff. Consumers registered grievance with the Forum on 04/1/2013 for Excessive Energy Bill .

The details are as follows :

Name of the consumer :- Smt. Chhaya Naresh Bhatia

Address: - As given in the title

Consumer No : - 02153056009

Reason of dispute : Excessive Energy Bill

3. The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/0028 dated 4/1/2013 to Nodal Officer of licensee. The licensee filed reply on 28/1/2013.
4. In this matter we heard Consumer Representative (C/R), Mr. Rajput and Shri Giradkar, Nodal Office, Shri Shendge, Dy. Exe. Engineer for Licensee. In fact, this matter was taken up initially but it is again re-heard.
5. On the basis of arguments advanced and material placed on record following facts are disclosed:-

- a) Consumer is having connection from 19/4/2008. In April 2012 Consumer received bill for Rs.17,675/- towards 1831 units which she disputed writing to the Dy. Exe.Engineer on 24/4/2012 asking the officer to change the meter urgently as it is running fast. She deposited meter testing fees of Rs.3,000/- on 25/4/2012.

- b) She was provided with a bill for May 2012 for Rs.35,580/- towards 2,950 units consumed, Consumer approached Exe.Engineer, Ulhasnagar on 18/5/2012 contending that her application dated 24/4/2012 is not attended, meter is not replaced, again heavy bill received.
- c) Meter was replaced on 31/5/2012. Replaced meter, i.e. old meter was tested on 4/6/2012 and it was found okay as error was 0.48% within permissible limit. Said testing report is not disputed but it is contended that report is not acceptable as the units consumed shown previously and subsequently are not tallying, hence, Consumer approached IGRC on 9/8/2012. IGRC decided the matter on 30/9/2012,. Thereafter Consumer approached this Forum on 4/1/2013.
6. Both sides during the course of arguments made their stand clear. Representative of Consumer, Mr. Rajput, submitted that though Consumer applied for meter testing on 24/4/2012, it was replaced on 31/5/2012, and is tested on 4/6/2012. It is his contention that if meter would have been changed forthwith in April 2012, things would have been cured and Consumer would not have received bills for heavy consumption in further month. However, on behalf of Licensee it is submitted that due to heavy workload replacement could not be done earlier, it is done within a reasonable time and in fact the meter was found okay, there was no defect as such.
7. Very short question arises in this matter whether there is any adverse effect on Consumer due to delayed replacement of meter. In this regard we sought from Consumer's representative existence of any provision which prescribes time limit for such replacement of meter. He was not able to lay hand on any

such specific rule but we find clause 14 of S.O.P. comes to the aid in such situation. In fact seeking change of meter without assigning any reason is not permissible. If at all, any such prayer is made, contending that functioning of meter is fast which is done in this matter then towards the dispute of fast meter, testing can be done and if during testing any defect is noticed, meter can be changed and even from the date of such dispute raised, the bills also are to be reset as per the provisions available. In other words, mere delay in replacing the meter in no way can affect the Consumer. At this stage, conveniently the provisions of aforesaid S.O.P. can be considered which reads as under:-

14.4 *Testing and Maintenance of Meter*

14.4.1 The Distribution Licensee shall be responsible for the periodic testing and maintenance of all Consumer meters.

14.4.2 The Consumer may, upon payment of such testing charges as may be approved to the Commission under regulation 18, request the Distribution Licensee to test the accuracy of the meter.

Provided that the Consumer may require the Distribution Licensee to get the meter tested at such facility as may be approved by the Commission.

14.4.3 The Distribution Licensee shall provide a copy of the meter test report to the Consumer within a period of two months from the date of request for testing of meter by the Consumer.

14.4.4 in the event of the meter being tested and found to be beyond the limits of accuracy prescribed in the Indian Electricity Rule, 1956 till the regulations are specified by the Authority under Section 55 of the Act, the Distribution Licensee shall refund the testing charges paid by the Consumer and adjust the amount of the bill in accordance with the results of the test as specified in Regulation 15.4 below.

Form the aforesaid clauses, it is clear that in case amount is deposited for testing of meter report is to be made available within two months from the

date of such Application. In this matter amount deposited for testing on 25/4/2012 meter is tested on 4/6/2012 and there is no challenge to the said meter testing report. Pointedly we asked Ld. Consumer Representative that when there is a technical report available, if it is to be challenged is there any prayer to have a further testing. Ld. C.R. submitted that he is disputing the quantum of units reflected as those were not in tune with previous consumption and has not challenged further the report seeking any testing as for IGRC Order or further test. We tried to have this information, considering that Consumer is sticking up to the defective meter, however, no such position is made clear seeking further test. Even before this Forum there is no any prayer for seeking further testing of meter to demonstrate that it is fast. Accordingly, if once it is concluded that meter is not defective, it is not fast and that there is no further challenge to it. We find this aspect has its own importance. Mere contention that meter is fast and it requires replacement is without any basis. If defect is not there, there is no need for replacement. However, in this matter meter is replaced, still, Consumer has his own grievance. His initial grievance which led to the dispute is of 24/4/2012 whereby he disputed the bill issued contending reading noted therein is high. Accordingly we find Bill for April 2012 issued for 1821 units and for May 2012 for 2950 units said meter taken out on 31/5/2012 and tested on 4/6/2012, no defect was found. As noted above there is no defect in the meter and hence the ground which the Consumer tried to canvas is not acceptable. We have gone through CPL and from CPL it is clear that for June 2012 bill issued for 1175 units status of meter was “lock” and for July 2012 bill issued for 1175 units state of meter was ‘R N A’ but in the bill of August 2012 Consumption of 2252 units shown which is now explained that it is actual reading covering period from June 2012 onwards. Even credit is

given in the said bill for Rs.19,835/- about units shown for June 2012 & July 2012. Accordingly, we find this aspect is clear in itself. Precise dispute was about meter running fast but in testing report it is found not defective and hence there is no any force in the grievance. Once again, it needs to be mentioned that when there is no defect in the matter which is disclosed during testing, there is no any aspect of inordinate delay adversely affecting Consumer. In-built provisions noted above are providing for the appropriate relief in case meter is found defective. In result this grievance is to be dismissed.

8. This matter could not be decided in prescribed time as Forum was to cope up with the existing stuff in the background of stenographer retired and stenographer not available, skilled worker available had no knowledge of stenography.

Hence the order

O-R-D-E-R

- a) Grievance of Consumer is dismissed.
- b) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

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

- b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission 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” at the following address:-

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

Date : 23/4/2013

I Agree

I Agree

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

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(Sadashiv S. Deshmukh)
Chairperson
CGRF Kalyan