



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in

IN THE MATTER OF GRIEVANCE NO. K/E/707/833 OF 2012-2013 OF SHRI RAGHUNATH BHOI OF KALYAN (WEST) REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL .

Shri Raghunath Pandurang Bhoi
Janata Bakery Bazar,
Near Veterinary Hospital,
Valipeer Road, Kalyan [West]
Consumer No. : 0200020380862

**Here-in-after
Referred
As Consumer**

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Exe.Engineer
Sub Section-III, Kalyan [West]

(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

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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. Residential consumer of the licensee. The Consumer is billed as per the Residential Tariff. Consumers registered grievance with the Forum on 20/3/2013 for Excessive Energy Bill.
3. The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/0194 dated 22/3/2013 to Nodal Officer of licensee. The licensee filed reply on 12/4/2013.
4. This matter is taken up for hearing. C.R., Mr. Pundalik Bali Khot of Mr.Raghunath Bhoir attended and explained details. Dy. Exe.Engineer, on behalf of Licensee Mr. Kadi attended and reply is filed by Licensee on 12/4/2013. On hearing both sides following factual aspects are disclosed:-
 - a. There is an electric connection in the name of Pundalik Balu Khot and there was no dispute, till bill dated 10/1/2013 was issued for Rs.81,220/- covering the period of previous dues from Dec. 2011 to July 2012. It was added in the month of Aug. 2012 for 1733 units. The said due amount in the bill of 10/1/2013 is subsequently corrected as Rs.66,990/. It seems that in the light of the dispute raised by Consumer, parallel meter was kept on 18/11/2012 and the meter was found okay tallying with the parallel meter.
 - b. As Consumer was not paying the bill which was due the meter was permanently disconnected on or about 22/1/2013. Aggrieved by the said act of P.D. and excessive billing the Consumer approached IGRC on 31/1/2013.
 - c. During pendency of the matter before IGRC, Consumer meter was tested in the laboratory on 5/2/2013 and it was found okay.

- d. IGRC decided matter on 19/3/2013. Consumer grievance application was rejected.
- e. Aggrieved by it Consumer approached this Forum on 30/3/2013.
5. During the course of submissions, on behalf of Consumer it is submitted that bills as per actual reading which were provided till Aug. 2012 were paid off but in Aug. 2012 bill for heavy amount was provided for 5133 units in one month. Accordingly it is contended that without any fault of Consumer such heavy dues are worked out and further on 10/1/2013 bill for Rs.81,220 was issued covering previous dues of 5133 units which is subsequently revised as Rs.66,990/-. It is claimed that due to non payment of dues, supply permanently disconnected on 22/1/2013 but he is not responsible for such heavy dues and he is not able to pay it.
6. On behalf of Licensee it is submitted that in Nov. 2011 Consumer's meter was changed. However the agency appointed for taking meter reading did not record the correct reading and the less reading was shown. Though it is shown for new meter, reading was not correct. In CPL entry of old meter continued till Oct. 2012. However in Oct. 2012 actual meter reading, i.e. from Nov. 2011 the said units i.e. 7935 are considered for last 12 months from Nov. 2011 of October, 2012 and accordingly bill was prepared for said sum. It is also stated that in August 2012 reading was found to the extent of consumption of 5133 units and bill was issued for Rs.99,050/-. Even in further months of Oct. 2012 consumption is shown as 1686 and accordingly the bill was issued on 10/1/2013 covering the previous period of Rs.81,220/- which is corrected to Rs.66,990/-. However it is stated that credit is already considered in bill dated 10/1/2013 and in handwriting it is brought down to Rs.66,990/- instead of Rs.81,220/- and actual effect is shown for said and credit given in the CPL for the month off Feb.2013.

7. It is submitted that due to the dispute raised by Consumer for the bill raised in the month of Aug. and October, Consumer was not ready to pay the amount and disconnection resulted in P.D. on 22/1/2013. Accordingly it is submitted that though dispute is raised on two counts, i.e. for 5133 units in the month of Aug. 2012 and 1686 units in the month of Oct. 2012, now dispute is limited only for 5133, as already credit is given to the aspect of Oct. 2012 and no more dispute surviving towards it. On behalf of Licensee it is submitted that as stated above from Nov. 2011 to Aug. 2012 actual reading was not entered by the agency allotted with work of recording reading and thereby less units were entered but actually for Aug. 2012 said aspect is noticed hence for the previous period consumption found included in the said units and bill was raised. Accordingly it is submitted that though the units consumed shown as 5133 it relates back to the date of meter changed, i.e. Nov. 2011 and hence towards those previous months consumption is divided and appropriate figure is worked out.
8. It is submitted that said working of dues spreading it over Nov. 2011 is actually done in Oct. 2012. Accordingly it submitted that whatever dues are worked out in Oct. 2012 are correct and now as on the date of P.D. the dues were worked to the extent of Rs.66,990. It is submitted that with the intent to rule out the allegations of defective meter the meter is tested during the pendency of the matter with the IGRC on 5/2/2013 which is found okay and accordingly, the IGRC upheld the dues. It is also submitted that attempt to have confirmation that working of meter was correct exercise is done previously by installing parallel meter on 18/12/2012 which also endorsed that Consumer's meter is working correctly.
9. It is contended on behalf of Licensee that when parallel meter was installed Consumer was made aware as on that date what was reading, and what was the reading when it was taken out.

10. It is submitted on behalf of Licensee that parallel meter was installed on 18/12/2012 and taken out on 4/1/2013. Report is prepared and such report is signed by Junior Engineer and the staff member. It is further contended on behalf of Consumer that bill for Feb. 2013 dated 8/2/2013 issued, period covered i.e. 3/1/2013 to 4/2/2013 which is for Rs.8027.21.
11. It is submitted on behalf of Licensee also in the bill of February, 809 units are shown which is on the average basis, but it is to be treated as zero and on that basis in the month of March 2013, there is an entry and this liability will not survive.
12. At this juncture Consumer Representative submitted that dues are heavy, for want of supply and due to P.D., family is suffering, children are studying, their future is affected and non payment was due to the heavy demand raised for previous period which was the result of Consumer's contractor not properly taken the reading and now the Consumer is landed in this awkward position. Accordingly it is contended that at least the installment be granted for paying the arrears and connection be restored. In this respect on behalf of Licensee there is no resistance to it and they left it to the discretion of this Forum as the entry of correct units not taken and entered in time.
13. Considering the peculiarity of the matter we find plight of Consumer is required to be considered, rather he is forced to face the situation due to conduct of Consumer's contractor and considering it, Consumer is to be given instalments to pay of the dues of Rs.66,990/- and considering the span of difference worked out, let that amount be paid within twelve equal installments and installment should be of @ Rs.5585/- per month and last installment should be for balance due. Such installments are to be paid regularly with current bills and if there is any failure to pay the installment then as per the rules it will invite the action of dis-connection. Considering the fact

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that installments are given, now connection be restored as soon as if this first
installment of Rs. 5585/- is paid and Consumer is to approach the officer of
Licensee, preferably, the Dy. Exe.Engineer, Mr. Kadi and deposit the amount.
Officer, Mr. Kadi is made aware that as soon as the said amount of first
installment is deposited the connection to be restored.

Hence the order

O-R-D-E-R

- a) Grievance of Consumer is partly allowed
- b) Consumer is allowed to pay the arrears of Rs.66,990/- in equal 12
monthly installments of Rs.5,585/-. Last installment should be of
balance amount. As soon as Consumer deposited first installment of
Rs.5585/- his connection be restored. Further every month Consumer
is to pay current bill + installment, failure to pay such installment and
current bill will incur the aspect of disconnection as per rules. This
order is dictated in presence of both sides, they are to note it and act
on it.
- c) 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”.*

- d) 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 : 16/4/2013

I Agree

I Agree

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

**(R.V.Shivdas)
Member Secretary
CGRF Kalyan**

**(Sadashiv S. Deshmukh)
Chairperson
CGRF Kalyan**

Note : -

This order is dictated in presence of both on 16/4/2013 and immediately copy of Operative Part was made available to both sides. Now total order is transcribed and signed today.