



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/033/0038 OF
05-06 OF SHRI M. H. TALREJA REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN
ZONE, KALYAN ABOUT EXCESS BILLING.

Shri M. H. Talreja,
Barrack No. 1578, Room No. 7,
Ulhasnagar 421004
as consumer)

(Here in after
referred to

Versus

Maharashtra State Electricity Distribution Co.
Ltd. through its Deputy Executive Engineer,
Camp 4 Sub-Division, Ulhasnagar -5
licensee

Here in after
referred to
as

- 1) Consumer Grievance Redressal Forum has been established under regulation of “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” 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 L.T. consumer of the licensee connected to their 415-volt network. The consumer registered grievance with forum on 14/10/2005. The details are as follows.
Name of consumer: - Shri M. H. Talreja.
Address: - Same as above
Consumer No.: - 021514078723.
The electricity bill stands in the name of Hashlal T. Talreja who is the father of Shri M. H. Talreja
- 3) The batch of papers containing above grievances was sent by forum vide letter No. 330 dated 14/10/2005 to Nodal Officer of licensee. The letter was replied by Nodal Officer vide No. 4144 dated 24/11/2005.
- 4) Two members of the forum heard both the parties on 24/11/2005, as Member Secretary was preoccupied with some urgent work. Shri M.H. Talreja and Mrs. Jyoti Talreja represented consumer. Shri J. P Bugade Junior Engineer

and Shri. Z. Khan Deputy Executive Engineer, represented licensee.

- 5) Shri M.H.Talreja, during the course of hearing on 24/11/05, pointed out that the licensee had revised his bills from time to time. He does not agree with the revisions carried out by the licensee and wants his bills to be revised at 36 units bi-monthly consumption from February 1996 till date. On study of papers submitted by Shri Talreja, it also reveals that he wants licensee to revise his bills at 36 units bi-monthly consumption from February 1996 till date.

In order to understand the dispute clearly Shri Khan Deputy Executive Engineer was requested to give details of the revision made by licensee from time to time. Shri Khan submitted letter No. 4144 dated 24th November 05 of Nodal officer to forum. He pointed out that the consumer's meter was faulty since December 1992 and the consumer has not allowed licensee to replace this meter even after repeated follow up. Ultimately, another meter was installed on service line of the pole of the licensee on 3/3/2003. Billing from April 2003 onwards is being done on the basis of consumption recorded on the meter of the pole. He further pointed out that revision of the consumer's bills is as per table given below: -

Period	Bi- monthly units	Remarks
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92 to 12/95	36 units	Consumer was billed at 36 units bi monthly during this period, as the meter was faulty from 1992.
2/96 to 2/2000	150 units bi monthly	Licensee revised the bill for this period. First revision was made in October 1999 as can be seen from the consumer's personal ledger (CPL). Second revision was made in April 2000 as can be seen from CPL and 3 rd revision was made in April 2001 as can be seen from CPL. As per last revision consumer's bill stands revised from 340 units to 150 units bi monthly consumption for the entire period from 2/96 to 2/2000.
3/ 2000 to 3/03	150 units to 218 units	The consumer was billed at 150 units initially and then as per the computer programme the consumption went on increasing as the meter status was fed faulty to the computer.
April 2003 till date	consumption of new meter erected on	A new meter was erected in March 2003 and the bill as per new meter was sent to

	pole	consumer till date.
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- 6) On the issue of replacement of faulty meter (stopped as per license's record) at consumer's premises, the licensee's submission that the consumer did not allow replacement of faulty meter is devoid of any merit. This submission only exposes dereliction of duty of licensee's staff and cannot be accepted. Nothing prevented licensee to act as per rule and there is no use-blaming consumer for its own lapse. Licensee could have replaced stopped meter and taken timely action as per regulation 15.4.1 on Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 but failed to do so.
- 7) The meter at consumer's premises was faulty (stopped as per license's record) since 1992. Licensee revised the bill for the period from 92 to December 95 at 36 units bi-monthly consumption. Licensee further revised the bill for the period from 2/96 to 2/2000 at 150 units bi-monthly consumption on the basis of consumption pattern of meter erected on their pole on 3/03/2003. Further bills for the period from 3/2000 to 3/2003 was sent to consumer at 150 units steadily increasing to 218 units bimonthly consumption as per computer program because the faulty status of meter was fed to computer. This action of the licensee is not as per orders contained in Case No. 19 of 2004 (In the matter of "Amendment"/ "Supplementary" Bills). The forum is,

therefore, of the opinion that licensee cannot assess consumption for the period from 2/96 to 3/2003 on the basis of consumption pattern of meter erected on pole on 3/3/2003. The forum is of the opinion that licensee can revise the bill for the period from 2/96 to 3/2003 at 36 units bi-monthly consumption as has been done for the period from 92 to December 95. The licensee has further sent the bills to the consumer for the period from April 2003 till date on the basis of consumption recorded on meter erected on pole on 3/03/2003. This action of the licensee, in sending the bills to the consumer for the period from April 2003 till date, does not require any interference.

- 8) After taking the stock of entire situation, we are inclined to pass the following order.

O-R-D-E-R

1. The assessment done by the licensee for the period from 2/96 to 2/2000 at 150 units bi-monthly consumption and for the period from 3/2000 to 3/2003 as per CPL (as per faulty status of meter fed to computer) is, hereby, set aside and quashed.
2. The licensee should send the revise bills to the consumer; within 60 days form the date of this order,as per table below.

Period	Units
92 to 12/95	36 units bi-monthly consumption
2/96 to	36 units bi-monthly consumption

2/2000	
3/2000 to 3/2003	36 units bi-monthly consumption
4/2003 till replacement of meter	Consumption of new meter erected on pole

3. The licensee should replace both the meter after following due procedure as per law.
4. The amount already paid by the consumer as per assessment mentioned in para 1 above should be adjusted /refunded as per assessment bill prepared mentioned in para 2 above.
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 following address
Maharashtra Electricity Regulatory Commission, 13th 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 2003”

Date: - 01/12/2005 Consumer

(Sau.V.V.Kelkar)

Member

CGRF, Kalyan

(I.Q.Najam)

Chair person

CGRF, Kalyan