



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph: – 2210707 & 2328283 Ext: - 122, E-mail : cgrfkalyan@mahadiscom.in

IN THE MATTER OF GRIEVANCE NO. K/E/332/373 OF 2009-2010 OF SHRI SANDEEP KAMALAKAR PANDHARKAR KALYAN (WEST) , REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL.

Shri Sandeep Kamalakar Pandharkar
Nishigandha Building, Room No. 9,
Ahilyabai Chowk , Kalyan (West)

(Here in after
referred to
as Consumer)

Versus

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

(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 19/04/2010 regarding the Excessive Energy Bill. The details are as follows: -
Name of the consumer : Shri Sandeep Kamalakar Pandharkar
Address: - As above
Consumer No : 020025026391
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/166, dt. 19/04/2010 to the Nodal Officer of the Licensee, and the Licensee through Dy. Executive Engineer MSEDCL Kalyan West Sub/Dn No. III filed reply vide letter No. DYEE/KLN(W)/Sub.Dn.III/736, dt. 04/05/2010.
- 4) The Members of the Forum heard both the parties at length on 10/05/2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Sandeep Pandharkar Consumer, Shri P. K. Taiwade Nodal Officer, Shri S. M. Kadi, Dy. Ex. Engr., Mrs. A. V. Jogdeo Asstt. Acctt., 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 in detail, will be referred to avoid repetition.
- 5) According to the consumer meter No. 11643168 was installed in his Room No. 9 in Nishigandha Building Kalyan. His average electricity consumption was 150 units per month, however, in the month of October 2009 his meter was running fast which he had pointed out by letter dt. 29/10/09 to the Executive Engineer

Kalyan. It is contended that in the bill for the period 13/10/09 to 13/11/09 consumed units were shown 1049 worth Rs. 8210/- was much higher than the normal average consumption. Consumer brought this to the notice of Dy. Ex. Engr. Sub-Division Kalyan who in turn, directed him to deposit Rs. 2000/-. Meter was tested on 28/12/09 and it was replaced by new one. It is contended that after eleven days the meter was replaced and that during the material period it was running fast and it might have defective showing the bill excessive. According to consumer he had not consumed electricity of 1049 units during the material period and therefore the bill charged of the amount of Rs. 8210/- was unreasonable and unjust therefore he is not liable to pay the said amount. Consumer had apprised the same to the officials of the licensee but in vain, therefore the instant reference with prayer to direct the licensee to charge average consumption bill and not the bill of 1049 units.

- 6) Licensee denied that abnormal bill was charged during the material period. It is contended that meter installed was accuchecked and also tested in the Lab. and found O.K. i.e. it was within the permissible limit, therefore as per consumption of electricity units were recorded and consumer is liable to pay the bill as per consumption of 1049 units for the material 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 licensee charged excessive bill for the period 13/10/09 to 13/11/09 of 1049 units of Rs. 8210/- in respect of consumer ?	NO
b). What Order ?	As per Order below

Reasons

8) Admittedly meter No. 11643168 was installed in the Room of consumer. According to consumer his average consumption of electricity was 150 units per month, however during the period 13/10/09 to 13/11/09 his consumption was shown 1049 units worth Rs. 8210/- was abnormal and unreasonable. On the complaint of consumer as seen from the record the said meter was accuchecked on 09/11/09 in the presence of consumer and it was found O.K. Meter check report placed on record further indicates meter was sealed when checked. This meter was also tested in laboratory on 26/12/09 but no error was found in the meter, it was within permissible limits. These two reports clearly indicate meter was not faulty and that as per the consumption meter reading was recorded during the material period. The learned consumer inviting attention to his complaint dt. 30/01/10 urged that eleven days before the testing he had pointed out the officials of the licensee that meter was running fast but cognizance was not taken. It is to be noted that this meter was replaced on 28/12/09 and the consumption for further period from 13/11/09 to 15/12/09 is 135 units. Had meter faulty, running fast, consumption subsequent to 13/11/09 would have been more than the average as stated by the consumer. It is also to be noted that consumption prior to 13/10/09 would have been also abnormal had the meter erratic. Consumer has grievance of consumption

for the period 13/10/09 to 13/11/09 recorded 1049 units. When the meter was O.K. throughout including the period referred to above, hardly can be said that for particular period meter was faulty and prior and subsequent period it was O.K. On this premise a legitable and irresistible inference could be drawn is that during the particular period somebody using appliance must have used electricity resulting in recording units 1049 which according to consumer is abnormal. Had the meter found faulty during testing there was substance in the grievance of the consumer that without consumption abnormal reading was recorded. Needless to say meter records unit as per consumption and in the case in hand, since meter was O.K. units recorded during the period was as per consumption and the worth of the consumption units Rs. 8210/- cannot said to be unreasonable and unjust. Since consumer consumed electricity as mentioned above is liable to pay charges thereof.

- 9) The learned representative of licensee submitted that the meter was accuchecked and found O.K. on 09/11/09 in the presence of consumer and copy of the report was given to him on that day. When according to consumer eleven days prior to testing of meter he found the meter running fast would have objected this report stating the meter was not O.K. however, consumer remained silent, speaks volume. On perusal the electricity bills placed on record for the months January, February, March show consumption units 88, 118, 125 and that average consumption of the meter checked as above indicates consumption of consumer prior to November and subsequent to that was not as much as 1049, however, it does not mean that during the material period 13/10/09 to 13/11/09 consumption was not as mentioned in the bill. It appears during the

material period somebody must have used electricity and accordingly indicates consumption, as per meter reading and the meter was O.K.

10) In the case in hand meter was found O.K. in accucheck and Lab. testing. Licensee is a large public company. No bias or ill-will is shown against any of the officials of the licensee. Officials of the licensee act in good faith, have no reason to mislead. Considering all these aspects possibility of recording units abnormal i.e. not as per actual consumption is ruled out. In view of the facts on record and the circumstances discussed supra, hardly can be said that licensee charged excessive bill for the period 13/10/09 to 13/11/09 of 1049 units of Rs. 8210/-. Consequently consumer is liable to pay bill as per the consumption of electricity. In this view of the matter, we find no force in the submission of consumer and the grievance lodged in the Forum since sans merit apt to be dismissed. Points are answered accordingly and hence the order :

ORDER

- 1) .Grievance application stands dismissed.
- 2) .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 : 01/06/2010

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

(S.N. Saundankar)
Chairperson
CGRF Kalyan