



**Consumer Grievance Redressal Forum, Kalyan Zone**  
**Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301**  
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**IN THE MATTER OF GRIEVANCE NO. K/E/432/487 OF 2010-2011 OF**  
**SHRI PRAKASH JAISINGHANI, ULHASNAGAR REGISTERED WITH**  
**CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN**  
**ABOUT EXCESSIVE BILLING.**

Shri Prakash Jaisinghani  
Near BK 577,  
Shamshan Bhoomi Road,  
Ulhasnagar : 421 002

(Here-in-after  
referred  
as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Dy. Executive Engineer  
Ulhasnagar Sub-Dn. No. II  
Dist. Thane.

(Here-in-after  
referred  
as licensee)

- 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 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 a single phase L.T. industrial consumer of the licensee. The Consumer is billed as per industrial tariff. Consumer registered grievance with the Forum on 13/10/2010 for Excessive Energy Bills. The details are as follows: -

Name of the consumer :- Shri Prakash Jaisinghani

Address: - As given in the title

Consumer No : - 021510473849

Reason of dispute: Excessive Energy Bills.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/642 dated 15/10/2010 to Nodal Officer of licensee. The licensee filed reply vide letter No. EE/ULH-I/Tech/1463, dated 23/11/2010.
- 4) The Members of the forum heard both the parties on 04/12/2010 and 13/12/2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Ravi Anand, Shri Vijay Laljani, Smt. Asha Londhe representatives of the consumer & Shri Purohit, Nodal Officer, Shri Gawande, Dy. Ex. Engr. 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 each party in respect of each grievance shall be referred while deciding each of the grievances to avoid repetition.

- 5) The consumer has taken electricity connection from the Distribution Licensee (DL) to their industry situated at Shamshan Bhoomi Road, Ulhasnagar in the year 1988. It is contended that consumer using only 18 HP against sanctioned load of 67 HP due to slackness in the business. Consumer was paying energy bill regularly and inspite of this he received bill in the month of Sept. 2010 for the huge amount of Rs. 1,12,400/-. According to consumer meter was found faulty on 22/06/2010 as the display was off and the concerned officials of the licensee had directed to replace the meter and to charge as per average units but till Oct. 2010 meter was not replaced and the bill for the months July onwards was same. It is contended since meter was faulty, as the display was off the charged bill being excessive and incorrect needs to be revised and accordingly Executive Engineer Ulhasnagar was informed on 21/06/2010 and 27/09/2010, however instead of correcting the bill licensee by letter dt. 30/09/10 informed the consumer to pay the energy bill else supply will be disconnected. Consumer apprehends that based on the letter dt. 30/09/10 licensee may disconnect the supply, therefore consumer moved the I.G.R. Cell but in vain hence lodged this grievance to direct the licensee not to disconnect supply and the bill amount be revised suitably.
- 6) Licensee opposed the contentions raised above by filing reply dated 23/11/2010. It is contended that on 22/06/10 meter installed in the premises of the consumer No. 055-00035277 found faulty as it's display was off. However, due to non availability of 100/5 Amp. C.T. meter, earlier meter was replaced on 08/10/2010 by meter No. 55/MSPU 486 and since

meter reading was not available due to off display in the month of April 2010 consumer is billed on average of the preceding three months consumption i.e. January 6623 + Feb. 7413 + Mar. 9052 as per the MERC Regulation and the bill for the amount of Rs. 1,07,950.49 has been issued, however, consumer did not pay the amount, therefore notice for disconnection of supply was issued on 30/09/2010. It is contended that the average consumption of the consumer is 8,000 units per month and consequently he is liable to pay the bill amount.

- 7) During the pendency of the matter by order dated 18/10/2010 licensee was directed not to disconnect the supply till the decision of the grievance.
- 8) Report dt. 23/06/2010 clearly mentions meter installed in the premises of the consumer found faulty i.e. display was off, therefore meter to be replaced as early as possible and average units to be charged. This shows in the month of June 2010 meter stopped recording therefore for billing in the event of such defective meters as per Clause 15.4 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations, 2005 assessment is to be made by the officials of the licensee. Clause 15.4 states : "Billing in the event of Defective Meters ..... In case of a defective meter, the amount of the consumer's bill shall be adjusted ..... Provided further that, in case the meter has stopped recording, the consumer will be billed for the period for which the meter has stopped recording, up to a maximum period of three months, based on the average metered consumption for twelve months immediately preceding the three months prior to the month in which the billing is contemplated."

- 9) Learned representative for the consumer urged with force that when the meter was found faulty in June 2010, why not replaced the same immediately ? and had it replaced, further complications would not have arised. Licensee submitted that 100/5 Amp C.T. meters were not available and therefore this faulty meter was replaced on 08/10/2010. Licensee has not placed on record meter replacement report and that it is under obligation to charge the bill in such a event as per Clause 15.4 referred to supra. On perusal the reply dt. 23/11/2010 it is in total defiance of the Clause 15.4. Under the circumstance licensee will have to be directed to raise the bill as per the provisions referred to above, revising the bill under dispute. Consequently grievance application will have to be partly allowed.
- 10) Since large number of cases filed by the consumers from Vasai Circle this Forum was busy with those cases in addition to this members of the Forum had to hold sittings at Vasai also, therefore delay is caused in deciding this case. Hence the order.

**O-R-D-E-R**

- 1) The grievance application is partly allowed.
- 2) Bill under dispute is quashed and the Licensee is directed to raise the bill as per the Clause 15.4 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations, 2005 within 30 days and compliance to be reported within 45 days from the date of receipt of this decision.

3) Stay Order issued by this Forum vide para 7 referred above No. EE/CGRF/Kalyan/0644, dt. 18/10/2010 is hereby vacated.

4) 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”.*

5) 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 : 09/02/2011

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

(R.V. Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan