



**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/515/611 OF 2011-2012 OF**  
**M/S. MAHALAXMI PACKAGINGS, ATGAON, TAL : SHAHAPUR**  
**REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM**  
**KALYAN ZONE, KALYAN ABOUT EXCESSIVE BILLING DUE TO FAILURE**  
**OF C. T. P.T. UNIT .**

M/s. Mahalaxmi Packagings  
27, Atgaon Industrial Complex,  
Atgaon, Tal : Shahapur,  
Dist : Thane – 421 601

(Here-in-after  
referred  
as Consumer)

Versus

Maharashtra State Electricity Distribution  
Company Limited through its  
Superintending Engineer  
Kalyan Circle – II, Kalyan

(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 H. T. consumer of the licensee. The Consumer is billed as per Industrial tariff. Consumer registered grievance with the Forum on 29/06/2011 for Excessive Billing due to failure of C.T.P.T. Unit

The details are as follows :

Name of the consumer :- M/s. Mahalaxmi Packagings

Address: - As given in the title

Consumer No : - 015599019984

Reason of dispute : Excessive Billing due to failure of C.T.P.T. Unit

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/415 dated 29/06/2011 to Nodal Officer of licensee. The licensee filed reply vide letter No. SE/KC-II/Tech/CGRF/3243, dated 21/07/2011.
- 4) The hearing was held on 25/07/2011 @ 16.00 hrs. The Members of the Forum heard both the parties in the meeting hall of the Forum's office. Shri Naresh C. Talreja representative of the consumer, & Shri Purohit Nodal Officer, Shri V. H. Kashal, Asstt. 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 H. T. electricity connection to their Industry from the Distribution Licensee (DL) in the year 1997. It is the contention of consumer that many times during last six months prior to 01/03/2011 'Y' phase of P.T. was failed at the factory premises and on complaining the testing engineer informed them the entire lot of P.Ts. lying in Shahapur Sub-Station was of substandard quality and later it was replaced. It is contended 'Y' phase of P.T. was failed on 05/01/2011 and was replaced on 28/01/2011. Consequently bill for the failure period was to be assessed on proportionate basis, however licensee assessed wrongly recorded 34127 units and issued incorrect and excessive bill for the month of January 2011 and that in the month of February also issued wrong bill of 14674 units and as such bills for both the months of 8523 units being incorrect and excessive need to be revised. By letter dated 01/03/2011 consumer requested the licensee to correct the bill but not responded. Consumer moved the I.G.R. Cell but in vain as usual therefore lodged this grievance with request to direct the licensee revising the bills already given and issue a fresh bill.
- 6) Licensee filed detail reply dated 21/07/2011 interalia contending that considering the position of failure of 'Y' phase P.T. assessment for January 2011 was done on the basis of per day average consumption recorded during last twelve months prior to failure and in this context assessment charged to consumer for 23546 units instead of 34127 and the credit of this was given in the month of February 2011 and on the basis of average consumption assessment bill for subsequent month of February 2011 was issued for 14674 units. In short, according to licensee since bill revised as

per average consumption of last twelve months consumption prior to failure of P.T. vide proviso to Clause 15.4.1 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulation 2005 and as such grievance does not survive and the same be dismissed.

- 7) We have gone through the assessment sheet prepared by Executive Engineer (Admn) Kalyan Circle – II in the light of the bill issued for the month of January 2011. At the outset learned representative for the consumer submitted that in case of P. T. failure assessment during the period of defective meter is to be done on proportionate basis. On plain reading the bill for the month of January 2011 mentions consumed units during the material period were 34127. Learned representative for licensee urged that proviso to Clause 15.4.1 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and other Conditions Of Supply) Regulations 2005 is applicable to the facts of the present case. This proviso states : Billing in the Event of Defective Meters ..... “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.” Detail reply filed by licensee clearly mentions taking into consideration the above said proviso to Regulation 2005 bill for the month of January 2011 was corrected to 23546 units instead of 34127 and bill for the subsequent month was issued in this context for 14674 units. Learned representative for the consumer

was asked as to how according to him assessment on proportionate basis is to be made applicable to the present case, however he failed to throw light on this. Relying on the proviso to the Regulation 2005 referred to above, since licensee revised bill for the month of January 2011 and subsequent bill for the month of February 2011 issued to that effect and as such grievance application does not survive. In view of this we find no force in the submission of learned representative for the consumer that in case of P.T. failure bill to be assessed on proportionate basis. On the premise grievance does not stand to survive and the same deserves to be dismissed. Hence the order.

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

- 1) The grievance application is dismissed.
- 2) 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”.*

Date : 08/08/2011

Mrs. S.A. Jamdar)  
Member  
CGRF Kalyan

(R.V.Shivdas)  
Member Secretary  
CGRF Kalyan

(S.N. Saundankar)  
Chairperson  
CGRF Kalyan