

**MAHARASTRA STATE ELECTRICITY BOARD
KALYAN ZONE, KALYAN**

Phone 1) 2210707
2) 2328283

Ext-122.

Consumer Grievance
Forum, Behind Tejashri,
Jananagar Meherwanji Road,
Kalyan. 421304

Kalyan

**IN THE MATTER OF GRIEVANCE NO.K/E/003/0004 OF
M/S.AUTOMATIC TILES & MARBLE LTD VASAI OF 2004-2005
REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL
FORUM KALYAN ABOUT THE EXCESS BILLING BY
LICENSEE**

M/S Automatic tiles & Marbles Ltd

through it's Managing Director,

Plot No 13,14& 63, Hissa No 2

Sativalli Village, Opp. Vasai Flour Mill,

"consumer"

Vasai, Dist Thane

Versus

Maharashtra State Electricity Board, O & M

Circle through it's Superintending Engineer,

2/3, "Deepshri" Navghar (E), Vasai Road,

"licensee"

Here in after

referred to

as

Here in after

referred to

as

Grievance No.K/E/003/004

- 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 Commission vide powers confirmed on it by section 181 read with sub-section 5 to 7 of section 42 of the Indian Electricity Act, 2003.(36 of 2003).
- 2) The consumer is a H.T. consumer of the licensee connected to their 22 KV network. The consumer’s grievance for excess billing was registered with forum on 14/1/2005. The consumer number, sanctioned demand, bill dates, bill period, disputed period, disputed units, disputed Maximum Demand (MD) & reason of dispute are as follows:-
Consumer number:-002179013218,
Sanctioned demand:-80 KVA
Bill dates:- 7/8/03, 5/9/03, 7/10/03, 5/11/03, 6/12/03, & 9/1/04
Bill period:- 30/6/03 to 31/12/03
Disputed period:- 11/6/03 to 31/12/03 (Arrears from 11/06/03 to 29/6/03 also included in the bill of 7/8/03 & hence bill period & disputed period are different)
Disputed units:- 94235
Disputed MD:-64, 67, 70, 70, 70, & 56 KVA respectively in bills of above dates

Reason of dispute:- 1) 40 % extra units charged during period from 11/6/03 to 26/9/03 & units charged without giving any reason during period from 27/9/03 to 31/12/03. Similarly MD is charged in all above bills without giving any reason.

- 3) The batch of papers containing above grievance of consumer was sent to the Nodal Officer by forum vide letter No.0033 dt.14/1/05. The letter was replied by Nodal Officer vide letter No. SE/VC/Tech/00769 dated 6/2/05.
- 4) All three members of forum on 11/2/05 heard both the parties. Shri Sharma, from consumer's side represented case while Shri Kajle from licensee's side represented case.
- 5) Shri Sharma repeated his prayer mentioned in his batch of papers sent to forum with his application for redressal of grievance. The summary of which is given in para 2 above.
- 6) The following points were noted by the forum from records submitted by licensee & submission made by Shri Kajle during hearing on 11/2/05.
 - i) During meter reading on 3/7/03 CTPT of meter was observed faulty on B phase. This observation was repeated during subsequent visit on 31/7/03. MRI of meter was then retrieved on 2/8/03 for two months i.e. June 03 & July 03. It was seen from graph of voltages of all three phase that there is a sudden drop in voltage on Y phase (Not on B phase as observed on 3/8/03) on 11/6/03 & this drop remained constant for

the remaining period up to end of July 03. Based on this finding licensee first billed consumer on 50 % slow recording for the period from 11/6/03 to 26/9/03. On consumers protest licensee created same site condition in testing laboratory & calculated error based on this test which was found to be 40% slow. The licensee amended bill accordingly.

- ii) The CTPT of meter was declared faulty based on above result. The meter remained connected till 26/9/03 & by passed on 27/9/03. New CTPT was commissioned on 29/12/03. It means meter remained by passed from 27/9/03 to 28/12/03. The licensee billed the consumer for this period on the basis of average consumption recorded during corresponding period of previous year.
- iii) The licensee billed the consumer for three days i.e. 29/12/03 to 31/12/03 on meter reading.
- iv) The total units billed of all three bills mentioned in i), ii) & iii) above works out to be 94235.
- v) An apparent error of taking proper reading was noticed by forum in billing. The licensee corrected the error & revised position of bill was communicated to consumer on 15/2/05. The disputed units now stands revised to 86253 & disputed MD revised by licensee for all billing months mentioned in para 2 above is 64, 67, 70, 70, 70, 70 KVA respectively.

- 7) The points to be decided by forum are assessment of consumption & MD during the period from 11/6/03 to 31/12/03.
- 8) The period of 11/6/03 to 31/12/03 can be divided into three categories. i) 11/6/03 to 26/9/03 when the meter was reported to be 40 % slow, ii) 27/9/03 to 28/12/03 when the meter remained by-passed, iii) 28/12/03 to 31/12/03 consumption recorded on correct meter.
- 9) During hearing on 11/2/05 forum requested licensee to test meter with following parameters & normal parameters.

Parameters suggested by forum

Phase	Voltage	Current	Power factor
R	47	3.5	0.89 lag
B	19	3.0	0.69 lag
Y	59	3.4	0.91 lag

The result obtained was 5.83 units.

Normal parameters

Phase	Voltage	Current	Power factor
R	63	3.5	0.91 lag
B	63	3.0	0.92 lag
Y	63	3.4	0.91 lag

The result obtained was 9.61 units.

Percentage error:- $(9.61-5.83)/9.61*100= 39.34$ slow say 39 % slow.

The action of assessing consumption taken by licensee as per para 6 (i) above is in conformity with this test result. Similarly action taken by licensee of revising bill as mentioned in para 6(ii) & 6(iii) above needs no modification.

- 10) Now let us take the case of assessing MD. The meter was faulty during period from 11/6/03 to 26/9/03 & meter remained by-passed during period from 27/9/03 to 28/12/03 & as such actual established MD was not available during period from 11/6/03 to 31/12/03. MD thus can be billed on 75% of highest billing demand during last 11 months or 50% of contract demand whichever is higher. MD billed in February 2003 is highest of last 11 months prior to June 2003. 75% of this works out to be 56 KVA. 50 % of contract demand (80KVA) works out to be 40 KVA. Thus we decide 56 KVA MD to be billed for each of the six months of bill dates mentioned in para 2 above.

- 11) After carefully examining all points we all three members concluded to pass following order.

O-R-D-E-R

- 1) No order is passed on assessment of units during the period from 11/6/03 to 31/12/03 as the action taken by licensee is proper.

- 2) The licensee shall revise bill on MD & shall bill MD at 56 KVA for each of six months of bill dates i.e. 7/8/03, 5/9/03, 7/10/03, 5/11/03, 6/12/03, & 9/1/04.
- 3) Order to desist from disconnection of electric supply to the consumer issued vide forum letter no. KZ/CGRF/Kalyan/33 dt.14th Jan. 2005 is, hereby, withdrawn.
- 4) Consumer can file appeal against this decision with the Ombudsman at the following address.

The Ombudsman,
Maharashtra Electricity Regulatory Commission,
606-608, Keshava Building, Bandra Kurla
Complex, Mumbai 400 051.

Appeal can be filed within 60 days from the date of this order.

- 5) Consumer, as per section 142 of Indian Electricity Act 2003, can also approach Maharashtra Electricity Regulatory Commission at above address, 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", by the licensee.

Date 4/03/2005. LICENSEE

(Shri V.M.Bhatkar)

(Sau.V.V.Kelkar)

(Shri I.Q.Najam)

Member Secretary

C.G.R.F.Kalyan

Member

C.G.R.F.Kalyan

Chair person

C.G.R.F. Kalyan