



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/339/383 OF 2010-2011 OF SHRI VIKAS DIGAMBAR PATKAR, DOMBIVALI, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL.

Shri Vikas Digambar Patkar,
A-601, Rajpark Co. Op. Hsg. Soc.,
Rajaji Path, Dombivali (East)

(Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Dy. Executive
Engineer, Dombivali (East) Sub/Dn. No. I

(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

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 LT consumer of the Licensee. The Consumer is billed as per residential tariff. The consumer registered grievance with the Forum on 08/06/2010 regarding the Excessive Energy Bill. The details are as follows: -

Name of the consumer : Shri Vikas Digambar Patkar

Address: - As above

Consumer No : 020012512059

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/0224 dt. 08/06/2010 to the Nodal Officer of the Licensee, and the Licensee through Dy. Executive Engineer MSEDCL Dombivali East Sub/Dn No. I filed reply vide letter No. DYEE/Dombivali/E/Sub.Dn.I/ dt. The meter was again (third time) tested in Kalyan lab on 07/07/10 in front of Consumer, licensee representatives and forum as per the request of consumer.

- 4) The Members of the Forum heard both the parties at length on 29/06/2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Vikas Digambar Patkar, Consumer, Shri Vishwas Apte consumer representative, Shri D. B. Nitnavare Nodal Officer, Shri A.K. Dhawale, Dy.EE, 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) Meter No. 6501980168 was installed in the premises of the consumer in the year 1988. According to consumer his average consumption was 400 to 600 units per month. His wife, three daughters and maid servant in all six members were in his house with minimum electric appliances. It is contended inspite of this, crossing the average consumption licensee raised bill of high units for the months March 08 to Feb.09 of 2000 / 3000 units per month tariff amounting to running in thousands. According to consumer he has no water geezer and for minimum family members consumption of electricity of Rs. 20000/- per month is absolutely tall, unreasonable, improper and excessive. It is contended during the material period meter was showing erratic reading and eventually licensee raised a high bill of Rs. 81,690/-. Consumer deposited Rs. 45,000/- as per the directions of the Executive Engineer under protest. By letters dated 12.06.09, 15.07.09, 12.08.09, 20.11.09, 01.11.09, 09.11.09, 20.11.09 consumer requested the officials of the licensee to revise the bill but not responded. According to consumer officials of the licensee replaced new meter No. 6501980166 in the month of Aug.09. It is the grievance of consumer that though the old meter checked and found correct, he has dispute on its working condition in as much as his consumption does not exceed to average consumption referred to supra. According to consumer old meter was faulty, therefore the bill raised on the said meter amounting to Rs. 81,406/- is excessive and the same needs to be revised. Consumer therefore lodged this grievance with prayer to direct the licensee to revise the bill as per average consumption.

- 6). Licensee opposed the contentions raised above. It is contended that on the complaint application of the consumer, meter installed in the premises bearing No. 6501980168 was checked in Testing lab at Dombivali and was found in working condition. It is contended inspite the meter was changed it is averred that since consumer persistently made complaints, Executive Engineer Dombivali rechecked the said meter on 01.02.2010 as per the letter No. 456, dt. 18/02/2010 and that time also the meter was found O.K. It is, therefore, the contention of the licensee that meter being O.K. i.e. in working condition within permissible limit, consumption was correctly recorded and the correct bill for the relevant period was raised. It is contended that meter being O.K. and the bills raised as per the consumption of units, question of revising the bill for the relevant period does not arise and the consumer is liable to pay the bill amount, consequently licensee prayed that grievance being devoid of substance, be dismissed with cost in limine.
- 7) On perusal of the record and hearing both the parties at length following points arise for the consideration of Forum and findings thereon for the reasons recorded below :

Points	Findings
a). Whether the bill in question raised by licensee is of excessive and unreasonable amount ?	NO
b). What Order ?	As per Order below

Reasons

- 8) According to the consumer bill raised by the licensee for the period March

08 to Feb. 09 for amount of Rs. 81,690/- in connection with old meter No. 6501980168 is excessive and incorrect in as much as his average consumption was 400 to 600 units per month. Consumer complained to that effect persistently and that on 09/09/09 this meter was checked in Meter Testing Lab. at Dombivali and it was found working within permissible limit (O.K.). Consumer was not satisfied with this report therefore again it was checked by the Executive Engineer Dombivali, however that time also it was found OK as seen from the letter of Dy. Ex. Engr. Dombivali dt. 18/02/2010. Thereafter the consumer lodged the grievance with this Forum. Considering the grievance of the consumer and that meter was checked twice at Dombivali, Forum found proper to direct the licensee to produce the said meter for testing in Meter Testing Lab. at Kalyan instead Dombivali. This meter was checked in the presence of consumer, his representative, representatives of licensee and in our presence at Kalyan. By the Test Certificate dt. 07/07/2010 authority concerned, reported that the meter was within permissible limit i.e. O.K. It is pertinent to note that consumer has not shown any bias or illwill against any of the Testing Officers and we also find no reason for the Testing Officers to report otherwise, therefore hardly testing reports can be discarded.

- 9) During the pendency of the matter by letter dt. 16/07/10 consumer requested the Forum that the meter in question be got tested through the third party meter checking machinery in the light of the news cutting published in "Maharashtra Times" dated 08/07/2010 enclosed with the letter. We have gone through this news cutting. It nowhere mentions the name of the third party checking machinery nor it indicates the place where it situates. Consumer did not place on record details in the

contest of the news cutting nor took pains to seek details therefore, hardly reliance can be placed on this news cutting without details.

- 10) According to consumer his average consumption was 300 to 400 units per month but it horribly increased to 2000 units is a matter of great concern. At this juncture learned representative of the licensee urged that the meter in question installed in the premises of the consumer was verified on 09/10/09 and 12/04/10 and connected load was noted. On 09/10/09 consumer's connected load was 7.02 KW and on 12/04/10 it was 8.820 KW as against the sanctioned load 5.00 KW i.e. more electricity was consumed than the sanctioned load. He further submitted that 3 Nos Air Condition, tube lights 4 Nos., 50 bulbs, 8 fans, 2 Nos. T.V., one mixer, one washing machine are of heavy electricity consumable apparatus and in this context consumption vide bill raised cannot be improbable. We find force in this submission of the learned representative of Licensee.
- 11) One can understand about challenging one report. Here meter was checked twice in Lab. at Dombivali and once in Lab. at Kalyan that too in the presence of the Forum. Based on the advance technique meter was checked in Lab. at Kalyan concurs the findings recorded by the technicians of Dombivali. Considering the circumstances in the light of the record referred to above, we find difficult to deviate from the findings recorded by the experts.
- 12) We have gone through the CPL placed on record in connection with old meter No. 6501980168 and new meter No. 6501980166. Average consumption in so far new meter is about 1600 units per month and consumption in so far old meter is 1781 units. This shows no considerable

difference between the consumption of old and new meter of which cumulative effect is that the bill under dispute raised by the licensee is proper resultantly consumer is liable to pay the bill amount. True it is, it is the right of the consumer to get the bill of correct amount. Considering the overall circumstances on record and the discussion supra, we are of the considered view that the bill raised by the licensee for the material period which is disputed by the consumer is as per the actual consumption of electricity therefore question to revise the same does not arise. Grievance application on all the relevant aspects 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 : 22/07/2010

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

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan