

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

No. K/E/1272/1500 of 2017-18	Date of registration	: 07/12/2017
	Date of order	: 10/01/2018
	Total days	: 35

IN THE MATTER OF GRIEVANCE NO. K/E/1272/1500 OF 2017-18 OF SHRI. PESSUSINGH GURUSINGH SABHA, MANAGE BY ANANT VILLA TRUST, ULHASNAGAR-4, DIST.THANE REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri. Pessus Singh Gurusingh Sabha,
Manage by Anant Villa Trust,
Ulhasnagar-4, Dist.Thane.

(Consumer No. 021514088419) ... (Hereinafter referred as Consumer)
V/s.

Maharashtra State Electricity Distribution
Company Limited

Through it's Nodal Officer/Addl.EE.
Kalyan Circle-II, Kalyan

... (Hereinafter referred as Licensee)

Appearance : For Licensee - 1) Shri. A.P.Sawant, E.E. Ulhasnagar-II dn.
2) Shri. S.R.Narsingh, A.E.E. Ulhasnagar-II dn.
3) Shri. D.V.Kumbhare, A.E.E.. Ulhasnagar-IV dn.

For Consumer - Shri. J.S.Rajput (C.R.)

[Coram- Shri A.M.Garde- Chairperson, Shri A.P. Deshmukh-Member Secretary
and Mrs. S.A.Jamdar- Member (CPO)].

1) Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressed Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressed Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'. Further the regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission. Hereinafter referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for

Giving Supply & Determination of Compensation) Regulations, 2014.’ Hereinafter referred ‘SOP’ for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014’.

2) Case in brief is that Consumer Shri.Pessusingh Gurusingh Sabha is having residential connection bearing Consumer Number as ‘021514088419’. That his meter was working fast, he received excess bill for ‘70470’ units P.D. status for 15 months, Licensee did not test his meter even after paying meter testing fees. Consumer demanded to set aside the bill & refund the amount with bank interest. Also demanded SOP for physical & mental harassment.

3) The copy of grievance forwarded to concern Nodal Office vide ltr.no.EE/CGRF/Kalyan /620 dt.07/12/2017 to which Licensee replied on date 20/12/2017 & Consumer too added rejoinder.

4) Licensee in its reply contended that Consumer demanded load extension from 7 kw to 48 kw on date 01/04/2015. The additional load of 41 kw was released on date 18/04/2015 by replacing 3 phase whole current meter with 3 x 40 – 200 A secure make meter. After release of additional load concern Assistant Engineer, Nagrani made wrong entry of permanent disconnection instead of load extension. Hence the Consumer remained unbilled for 15 months i.e. from May-2015 to July-2016. In the month of Aug-2016 it was noticed that the Consumer is not getting bill. After spot verification Licensee issued provisional bill for 16 months amounting to Rs. 989920.00 for ‘68150’ units to which Consumer advocate requested to revise the bill. Licensee revised the computerized bill of Rs.1074070.00 to Rs.1043760.00 which Consumer paid in three installments.

Licensee further contended that for wrong entry Licensee has already taken disciplinary action against concerned Engineer. Also the average consumption of Consumer during unbilled period was 4404 units/month & for period Sept-2016 Jan-2017 same meter was in service & for that five months period meter recorded consumption on an average of 3721 units/month. In month of Feb-2017 the meter display stopped showing reading. The same was replaced on date 08/03/2017 with new meter. Meanwhile Asst. Engr., Nagrani released one more meter in the same premises on date 03/02/2017. Licensee contended that if the average of both meters clubbed together then it comes to 4961 units/month. Hence the average of unbilled period is correct considering the consumption of new meters after load extension.

Regarding testing of meter Licensee contended that Consumer has paid Rs.900/- on date 05/12/2016 & testing team visited on date 08/03/2016 but there was no display hence could not test the meter. The meter was sent to secure company for data

retrieval & MRI data for period 01/04/2016 to 01/03/2017 which is placed on the record. The average of this period is '4046' units/month.

Licensee further contended that the test report submitted by Consumer on date 08/04/2015 is showing that he has installed 20 nos of AC & other load as 42.80 kw & hence considering the connected load the average consumption is matching to load also. Hence the bill issued is correct.

5) We heard both sides & observed the documents placed on record. On 20/12/2017 hearing took place, in which it was decided to test the meter once again by sending it to NABL lab. Accordingly interim order was issued vide letter no.EE/CGRF/Kalyan/628 dt.20/12/2017, in which Licensee was directed to test the meter from NABL & cost will be borne by Licensee.

6) On date 03/01/2017 during the final hearing Licensee produced a letter given to Executive Engineer, Testing Thane for testing of meter on which Executive Engineer, Testing Thane given remark that, 'The meter was powered up at laboratory however due to No.display, further testing of meter could not be completed for further testing, the meter may please be sent to M/s secure.'

Hence the meter could not tested in NABL lab. For testing of meter at secure company the Consumer Representative has objected vide his rejoinder on 02/01/2013. 'C.R' contended that the company will give results in favor of Licensee hence he is not ready for company testing.

7) In light of above facts the forum has gone through all the records placed on the record. From the records it is clear that Consumer has extended his load in month of April-2015 from 7 kw to 48 kw. Test report also shows that additional load was connected. MRI report shows that average billed consumption for period 01/04/2016 to 01/03/2017 was '4046' units/month. The new meter along with additional new connection meter showing average consumption of 4961 units/month for period Mar-2017 to Dec-2017. Hence the average for unbilled period May-2015 to Jun-2016 '4404' units/month is matching with the average of new meter.

As far as meter testing is concerned Licensee should have been tested the meter immediately after payment of testing fees by Consumer. Hence there is long delay from Licensee in testing of meter.

8) In the light of above observation, we opined that the disputed meter is not faulty, hence the contention of the Consumer cannot be upheld.

Hence the order.

ORDER

The Grievance of Consumer is dismissed.

Date: 10/01/2018

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

(A.P.Deshmukh)
MemberSecretary
CGRF, Kalyan.

(A.M.Garde)
Chairperson
CGRF, Kalyan.

NOTE

- a) *The consumer if not satisfied, may file representation against this order before the Hon. 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”.*
- b) *Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or*
- c) *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”*
- d) *It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.*