



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph.- 2210707 & 2328283 Ext: - 122

IN THE MATTER OF GRIEVANCE NO.K/E/060/0070 OF 06-07
OF SHRI VISHWAS B. KATKAR REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN
ZONE, KALYAN ABOUT THE EXCESSIVE ENERGY BILL.

Shri.Vishwas B. Katkar,

(Here in after

A-704 Saidhara towers Mangaon,

referred to

Manpada Road, Dombivli (E)

as consumer

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Assistant Engineer, MIDC Phase II

(Here in after
referred to
as licensee)

Dombivli (E)

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 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 L.T. consumer of the licensee connected to their 415-volt network. Consumer is billed as per residential tariff. The consumer registered his grievance with the forum on dated 31/07/2006.

The details are as follows: -

Name of the consumer: Shri Vishwas B. Katkar

Address:- As above

Consumer No:-. 020710008061.

Reason of dispute: - Wrong billing charged by licensee on consumption recorded on meter which is not the meter from which he is getting supply and thus he should be billed as per consumption recorded on meter from which he is getting supply.

3) The batch of papers containing above grievance was sent by forum vide letter No.0629 dated 31/07/2006 to Nodal Officer of licensee. The letter, however, remained unreplied.

4) All three members of the forum heard both the parties on 17/08/2006 and 21/08/2006. Shri Viswas B. Katkar, consumer

and Shri N.L.H. Rao Nodal Officer, Shri S.A. Ketkar UDC representative of licensee attended on 17/08/2006. Shri Viswas B. Katkar, consumer and Shri N.L.H. Rao Nodal Officer, Shri P.M. Hundekari, Shri S.A. Ketkar UDC representative of licensee attended on 21/08/2006.

- 5) The summary of submission made by consumer, in his application & during hearings on 17/8/06 & 21/8/06, is as below.

Licensee on 14/5/04 as per consumer's request dated 20/2/2004 changed his meter number 9000636330. The new changed meter was showing reading & was accessible for taking reading but licensee use to send very often bills on average consumption

showing meter locked status. This fact was brought to the notice of licensee by consumer vide his letters dated 18/8/05 & 12/12/05. The consumer also brought to the notice of licensee about incorrect flat No 104 being printed on his bills instead of flat No 704 but these submissions turned to deaf ears. The licensee used to send the bills showing meter No. 9000003240 to consumer. The consumer, however, noticed somewhere in June 2006 that he is not getting electric supply from meter No. 9000003240 but getting electric supply from meter No. 9000021430. Consumer brought this fact to the notice of licensee vide his letter dated 08/05/2006. The licensee thereafter sent him a bill showing meter No. 9000021430 for the period from 11/05/2006 to 12/06/2006 for an amount of Rs. 13860/-. At this stage consumer brought to the notice of licensee vide his letters

dated 12/6/06 & 14/7/06 that he has paid of Rs. 19686/- as against bills sent to him for the period from 14/05/2004 to 10/04/2006. After running from pillar to post and not getting any response from licensee, the consumer ultimately approached forum to get his grievance redressed.

- 6) Shri P.M.Hundekari, Assistant Engineer of the licensee, made following submission to the forum.

The consumer was wrongly billed as per meter reading recorded on meter No 900003240 from 14/5/2004. The actual meter No of the consumer was 9000021430 and the consumer ought to have been billed as per reading recorded on this meter. The initial meter reading of meter no.9000021430 on 14/5/2004 was 3 units & the final meter reading on 18/8/2006 was 4830 units. This meter was replaced because it had stopped working from May 2006. The consumer has paid Rs.19,686 upto June 2006 and has paid Rs.1300/ on 14th July 2006. Thus the total amount paid by the consumer works out to be Rs.20,986-00. Shri Hundekari, further submitted that the consumer would be billed as detailed below in the following table.

Sr No	Period	Units	Remark
1	14/05/2004 to 11/05/2006	4827	4830-3= 4827
2.	11/05/2006 to 11/06/2006	201	The consumer will be billed as per average consumption recorded during 24 months.
3	11/06/2006 to 11/07/2006	201	
4	11/07/2006 to 11/08/2006	201	
5	11/08/2006 to 18/08/2006	40	

Total No. of units	5470	
--------------------	------	--

Shri Hundekari further submitted that the consumer would be billed as per meter reading of new meter replaced on 18/8/2006 from 18/8/06 onwards. He also brought to the notice of the forum that incorrect flat No 104 printed on bill has now been corrected to flat No 704 in the bill of dated 1/7/2006.

7) The members of the forum brought the above submissions and statements made by Shri Hundekari to the notice of Shri Katkar and Shri Katkar agreed and accepted the same.

8) After carefully going through the entire matter the forum unanimously decided as follows: -

(i) The consumer need to be billed for 4827 units for the period from 14/5/2004 to 11/5/2006 for the actual units consumed and recorded on meter No. 9000021430 from which he was getting electric supply

(ii) As per second proviso of regulation 15.4.1 of the Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 which reads as "*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,*" the consumer to be billed for the period meter had stopped working during the period of three months from 12/5/06 onwards on prorata basis based on the average

metered consumption for last twelve months from May 2005. The meter reading in May 2006 was 4830 units and the meter reading in May 2005 was 2468 units thus the average metered consumption for twelve months works out to be $2362/12=197$ units per month.

(iii) The consumer to be billed as per actual meter reading recorded on meter replaced on 18/08/2006.

9) The forum passes the following order.

O-R-D-E-R

1. The bills send by licensee for the period from 14/05/04 to 12/06/2006 are, hereby, quashed and set aside.
2. The licensee should prepare debit bill: -
 - i) For the period from 14/05/2004 to 11/05/2006 for 4827 units as per consumption recorded on meter No. 9000021430.
 - ii) For the period of three months from 12/05/2006 onwards as per 197 units per month.
 - iii) For the period from 18/08/2006 onwards as per actual consumption recorded on meter replaced on 18/08/2006.
3. The licensee should give credit of Rs. 20,986/-, paid by consumer up till now, in the above bill.
4. The licensee should not charge any interest and delayed payment charges while preparing bill as per para 2 above.
5. The bill as per para 2, 3 and 4 above should be prepared and send to consumer within 60 days from the date of this order.
6. Consumer can file appeal against this decision with the Ombudsman at the following address.

Maharastra Electricity Regulatory Commission, 606/608,

Keshav Building, Bandra Kurla Complex, Mumbai 51

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

7. Consumer, as per section 142 of the Electricity Act, 2003, can approach Maharashtra Electricity Regulatory Commission at the following address.

Maharashtra Electricity Regulatory Commission, 13th floor,

World Trade Center, Cuffe Parade, Colaba, Mumbai 05

for non-compliance, part compliance or delay in compliance of this decision issued under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulation 2006".

Date: -24/08/2006.

(V.V. Kelkar)

(D.B.Nitnaware)

(I. Q. Najam)

Member Secretary

Member

Chairperson

CGRF, Kalayn

CGRF, Kalyan

CGRF,

Kalyan