



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/360/404 OF 2010-2011 OF SHRI SUBRAMANYAM VENKATRAMAN KALYAN (WEST) REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT EXCESSIVE ENERGY BILL.

Shri Subramanyam Venkatraman
102, Shreeram Tower,
Near Mahavir Dham
Kalyan (West) : 421 301

(Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Dy. Executive
Engineer, Kalyan West Sub/Dn No. III

(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 06/07/2010 regarding the Excessive Energy Bill. The details are as follows: -

Name of the consumer : Shri Subramananyam Venkatraman

Address: - As above

Consumer No : 020020951479

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/315, dt. 06/07/2010 to the Nodal Officer of the Licensee, and the Licensee through Dy. Executive Engineer MSEDCL Kalyan West Sub-Division No. 3 filed reply vide letter No. DYEE/Kalyan (W)/Sub.Dn.3/1906, dt. 23/07/2010.

- 4) The Members of the forum heard both the parties at length on 27/07/2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri J. A. Pardeshi Consumer Representative, Shri M. A. Atre, Nodal Officer, Shri C. S. Kadi Dy. Ex. Engr., Mrs. A. V. Jogdeo, A.A. 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 will be referred to avoid repetition.

- 5) According to consumer he was and is getting average energy consumption bills. He is a domestic consumer and that his average consumption units was and is about 130 to 150 units per month and

inspite of this licensee raised and issued energy bill of Rs. 22680/- for 3337 units. It is contended without informing the consumer his meter was replaced and issued the above said incorrect, improper bill of high amount. By the letter dt. 05/03/10 consumer challenged the said bill being improper and incorrect but licensee did not respond hence consumer approached the I.G.R. Cell but in vain, therefore lodged this grievance with prayer to direct the licensee to withdraw the bill dt. 09/02/10.

- 6) Licensee opposed the contentions as above filing reply dt. 23/07/10. It is contended that the Flying Squad Kalyan under Directorate of Vigilance and Security inspected the meter installed at the premises of consumer bearing No. 9000535230 and the same was found stopped. That meter was replaced by meter No. 6504315158 in the presence of consumer on 05/12/09. Considering the connected load in the context of electrical appliances i.e. fans, tubes, fridge, two Nos. A.C., washing machine, geezer, mixer was 10350 watts. Considering the connected load and the position that the meter was stopped as per calculation :

$$\underline{10.3(\text{Connected load}) * 0.2(\text{D.F}) * 18(\text{hours}) * 30(\text{days}) * 3(\text{months})}$$
$$\underline{\text{assessed total units} = 3337.2}$$

According to licensee Flying Squad made assessment as above and the same was informed to the consumer by letter dt. 10/02/10, thereafter on 22/06/10 also consumer was apprised the same and requested to pay the bills within 15 days, however instead of paying the amount, consumer challenged the bill. It is contended consumer unauthorizedly used electricity and that he is liable to pay the bill amount assessed correctly

and on this background grievance being devoid of substance be dismissed with cost inlimine.

- 7) On perusal of the record and hearing both the parties following points arise for the consideration of Forum and findings thereon for the reasons recorded below :

Points	Findings
a)Whether consumer is liable to pay the bill amount dated 09/02/2010 under dispute ?	YES
b)What Order ?	As per Order below

Reasons

- 8) Consumer has challenged the bill dt. 09/02/10 as incorrect and excessive. According to him he is average domestic consumer and in this context bill under dispute for 3337 units of the amount of Rs. 22680/- is unreasonable. On the other hand licensee pointed out that the meter installed in the premises of consumer found stopped when inspected by the Flying Squad Kalyan on 05/12/09 and also found the connected load 10.3 KW, whereas the sanctioned load was 0.9 KW. Therefore in the presence of consumer officials of licensee replaced the meter and issued assessment bill as above which consumer is liable to pay.
- 9) Spot inspection report placed on record indicates it is so prepared in the presence of consumer since his signature appears on it. It clearly mentions meter was found stopped, it was of domestic category, sanctioned load 0.9 KW, however connected load availed 10.350 KW i.e. about ten times more than the sanctioned load. Specifications of connected load has been depicted in this report as under :

(1) Fan	6x60 w	=	360 w
(2) Tube	6x40 w	=	240 w
(3) T.V.	1x150 w	=	150 w
(4) Fridge	1x200 w	=	200 w
(5) A/C	1x1 Ton (1.8 kw)	=	1800 w
(6) A/C	1x1.5 Ton (2.2 kw)	=	2200 w
(7) Geezer	2x3 kw	=	6000 w
(8) W/Machine	1x200 w	=	200 w
(9) Mixer	1x200 w	=	200 w
Total		=	10350 W

- 10) From the CPL it is seen old meter No. 9000535230 was replaced by meter No. 6504315158 in the month of December 2009 on noticing it was stopped by the Flying Squad. It was so stopped due to heavy connected load. When sanctioned load was 0.9 kw and connected load found 10 kw, clearly shows consumer used electricity unauthorizedly. Officials of the licensee considering the connected load, diversity factor, hours, days, three months, assessed units, as reproduced by us in para 6 above. Consumer denied the assessment made by the licensee contending that his consumption was and is much below the assessment made above. Flying Squad officers have no reason to make false report dated 05/12/09 in the presence of consumer. Nothing placed on record to show that at any time consumer challenged this report which mentions meter found stopped and the connected load ten times more than the sanctioned load. No ill-will or bias is shown by the consumer against any of the officials of the licensee, therefore this report will have to be believed indicating factual position. Learned representative for the

consumer at this juncture inviting our attention to the application dt. 05/03/2010 submitted that consumer was not made to know the meter's condition and the connected load stated in the report and that bill raised and issued to that effect under dispute is a surprise to him. We find no force in this contention for the reasons mentioned supra and that when consumer was present there and signed on the report.

- 11) When the inspection report mentions meter was stopped and connected load was ten times more than the sanctioned load, follows electricity unauthorizedly used, therefore to our view, as per the equation officials of the licensee correctly raised and issued the energy bill for 3337 units of the amount of Rs. 22680/-. Inviting our attention to the CPL learned representative for the consumer urged that there is no much difference about average consumption prior and subsequent to the replacement of the meter No. 6504315158, therefore equation vide letter dt. 26/05/10 cannot be discarded. It is to be noted that Flying Squad (F.S.) when inspected the meter was found stopped and the connected load much more than the sanctioned load, therefore hardly units mentioned in CPL could be as per actual consumption. In view of this we find no force in the submission made as above. Considering the position of the meter and the connected load availed, in the light of the provisions of I. E. Act and the Regulations and the circulars of MSEDCL, we are of the considered view that the officials of the licensee as per the actual consumption of electricity correctly raised and issued bill dated 09/02/10 and the same being proper, consumer is liable to pay. Point is answered accordingly and hence the order :

ORDER

- 1) Grievance application stands dismissed.
- 2) Bill dated 09/02/2010 being proper and correct consumer to pay the bill amount within 30 days from the date of receipt of this order.
- 3) Compliance should be reported within 45 days from the date of receipt of this order.
- 4) 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.
- 5) 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 & Ombudsman) Regulation 2003”
within 60 days from the date of this order.

Date : 18/08/2010

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

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan