

**CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L., PUNE ZONE, PUNE**

Case No.19/2016

Date of Grievance : 30.05.2016

Date of Order : 12.07.2016

In the matter of exorbitant billing.

Mr.Prafulla Dattatraya Malwade,
Flat No.707, Jalarampark Socy.,
Charoholi (Khurd) Alandi Charohli road,
Tal.Khed, Dist.-Pune.

Complainant

(Herein after referred to as Consumer)

Versus

The Executive Engineer,
M.S.E.D.C.L.,
Rajgurunagar Division,
Pune.

Respondent

(Herein after referred to as Licensee)

Quorum

Chairperson
Member Secretary
Member

Mr. S.N.Shelke
Smt.B.S.Savant
Mr. S.S.Pathak

Appearance

For Consumer

Mr.Prafulla Malwade,

For Respondent

Mr.Kalbande, Dy.Ex.Engineer,
Chakan Sub/Dn.
Mr.S.S.Sandbhor, Asstt.Accountant
Chakan Sub/dn.

1. The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & E.O.) Regulations 2006.
2. Being aggrieved and dissatisfied by the order dated 25th May -2016 passed by IGRC Pune Rural Circle, Pune, thereby rejecting the grievance, the consumer above named prefers this grievance application on the following amongst other grounds.

3. The papers containing the above grievance were sent by the Forum to the Executive Engineer, M.S.E.D.C.L., Pimpri Dn., Pune vide letter no. EE/CGRF/PZ/Notice/19 of 2016/112 dtd.31.05.2016. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 24.06.2016.
4. We heard both sides at length and gone through the contentions of the consumer and reply of the licensee and the documents placed on record by the parties. On its basis following factual aspects were disclosed.
 - i) Consumer namely Mr. Prafulla Malwade having consumer no.176258187301 connected on 1.10.2015 having sanctioned load 3.00 KW in the tariff category LT-1 (Residential) single phase.
 - ii) The consumer made complaint about defective meter to the Licensee on 18.12.2015 & 24.12.2015.
 - iii) The Licensee replaced consumer's old meter bearing Sr. No.810067 make- ansu having reading 1374 with new meter bearing Sr.No.4811853 make- Rolex having initial reading 0001 KWH.
 - iv) The Licensee tested the old meter of the consumer bearing Sr.No.810067 with accucheck on 21.4.2016 having result, "Percentage of error-2.67 %" "
 - v) The Licensee again tested the meter of the consumer bearing Sr.No.810067 at Testing Lab on 24.6.2016 having result, "meter is found OK" .
 - vi) The Licensee issued bill to the consumer in the month of Feb.2016 for accumulated 1426 units, amounting to Rs.11,630/- .
 - vii) Consumer made complaint before IGRC in form - X on 22.4.2016 about exorbitant billing.
 - viii) The IGRC vide impugned order dated 25.05.2016 directed the Licensee to issue corrected bill by observing initial reading of old meter, which should be checked and that the meter should be checked again at division testing unit in presence of consumer and bill should be raised according to outcome of the meter testing result.
5. The consumer Mr. Prafulla Malwade submitted that his consumption is, CFL Bulbs-3 of 15 Watt, each Fans- 3, TV- 1, Refrigerator-1, Mixer-1 & therefore his monthly consumption is about 50 to 60 units. The said reading is wrong & not

as per the consumption. The said meter is faulty. His connection was released in the month of Oct.2015 & meter was replaced on 26.12.2015 having reading 1374 units. Therefore he made complaints to the Licensee on 18.12.2015 and 24.12.2015 for testing of the said meter. However, the Licensee did not test the said meter immediately but tested after four months i.e. on 21.4.2016 in his absence. Therefore the said test result is not admitted by him. On the contrary, the new meter installed at his premises shows consumption of 299 units for five months and therefore consumption of old meter having 1375 units in three months is not admitted by him. Initial reading of the old meter at the time of installation is doubtful. He further submits that he was harassed by the concerned employee of the Licensee in spite of several telephonic calls for testing the meter immediately and the said meter was tested only after four months. The additional bill issued by the Licensee in the month of Feb.2016 since not as per consumption, he will not deposit the same but ready to deposit the regular bills as per his consumption. He lastly submits additional bill be set aside & grievance be allowed.

6. Mr. Kalbande, Dy.Ex.Engineer, Chakan Sub-division submitted on behalf of the Licensee that the said consumer was connected on 1.10.2015. Consumer's old meter having accumulated units 1375 was replaced on 26.12.2015 with new meter. The accumulated 1375 units are bifurcated in the period of four months i.e. from the date of connection i.e. from 1.10.2015 to Jan.2016 & thereafter by giving slab benefit bill of total 1426 units for Rs.11,630/- issued to the consumer in the month of Feb. - 2016. He further submits that as per the directions of IGRC vide order dated 25.5.2016 the concerned section officer requested the consumer for getting joint testing of the old meter for confirming the accuracy and healthiness of the meter. But the consumer denied for the joint testing of the said meter. Therefore the said meter was tested in the absence of consumer on 24.6.2016 & testing result is, " meter is found OK". Therefore the bill issued to the consumer is correct and proper. Therefore grievance be rejected.
7. Following points arise for our determination We give our findings thereon

Rs.11,630/- in the month of Feb.2016. The CPL of the consumer discloses the consumption of 59 units in Nov.2015, 50 units in Dec.2015, 50 units in Jan.2016, 1426 units in Feb.2016 & 95 units in March-2016 and accordingly bills have been issued to the consumer by the Licensee.

9. The IGRC in the impugned order dated 25.5.2016 has directed the Licensee to correct the consumer's bill by observing initial reading of old meter, the initial reading of old meter should be checked and that meter should be checked again at division testing units in presence of consumer & bill be raised according to outcome of the meter testing. Thus the IGRC questioned about the initial reading of the old meter. However in the say filed by the Licensee dated 24.6.2016 it is not mentioned as to whether they got confirmed initial reading of old and whether checked or not. The consumer is doubtful about the initial reading of the old meter having no.810067 of make ansu. The Licensee did not produce any documentary evidence showing what was the initial reading of the old meter bearing Sr.No.810067 at the time of installation at the consumer's premises. In the CPL of the consumer status of meter is shown as, "normal". According to the consumer his usage is for Residential having appliances CFL Bulbs-3 of 15 Watt each, Fans- 3, TV- 1, Refrigerator-1, Mixer-1. The consumption pattern of the consumer as per CPL before & after replacement of meter discloses 50 to 60 units except in the month of Feb.2016. In view of the facts connected load of the consumer is 3.00 KWH for residential use, single phase & the meter was tested belatedly i.e. after four months of the replacement thereof & that too in the absence the consumer and the absence of record about initial reading of old meter, at the time of installation of the consumer's premises, now it is required for the Licensee to revise the bill of the consumer taking into consideration consumption pattern after replacement of the meter. Hence bill issued by the Licensee in the month of Feb.2016 for Rs.11,630/- is to be set aside. For the reasons noted above, we found deficiency in service on the part of Licensee. Hence we answer point no.(i) in the affirmative.

10. Lastly we proceed to pass following order.

ORDER

1. Grievance of the consumer is partly allowed.
2. The Licensee to issue revise bill to the consumer excluding DPC & Interest & giving slab benefit and necessary credit for the period from Oct.2015 to Jan.2016 taking into consideration consumption pattern after replacement of the meter with reference to the connected load & the appliances powered electrically by the consumer and to arrive at an average consumption per month.
3. Impugned bill issued by the Licensee in the month of Feb.2016 is hereby set aside.
4. The Licensee report compliance within one month from the receipt of this order.

Sd/-	sd/-	sd/-
B.S.Savant	S.S.Pathak	S.N.Shelke
Member/Secretary	Member	Chairperson
CGRF:PZ:PUNE	CGRF:PZ:PUNE	CGRF:PZ:PUNE

Date :- 12.07.2016

Note :- The consumer if not satisfied may filed representation against this order before the Hon.'ble Ombudsman within 60 days from the date of this order at the following address.

Office of the Ombudsman,
Maharashtra Electricity Regulatory Commission,
606/608, Keshav Bldg.,
Bandra Kurla Complex,
Bandra (E), Mumbai-51.