

**CASE NO.120/2018**

**In the matter of billing**

M/S. Gerada Invet and Trading Company,  
1, Paras silk ill compound,  
Mumbai-400080.

..... (Hereinafter referred as Applicant)

Vs

Maharashtra state Electricity Distribution Company Ltd  
Through it's Nodal Officer,  
Thane Circle,Thane

..... (Hereinafter referred as Respondent)

Appearance

For Consumer :- Pranab Shende, M/s. Strom Losungen Pvt. Ltd.

Representative For Respondent :- Asmita Iswarnagar Sub Division,Bhandup

[Coram- Dr. Santoshkumar Jaiswal- Chairperson, Shri. R.S.Avhad -Member Secretary  
and Sharmila Ranade - Member (CPO)].

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 Redressal Forum has been established as per the notification issued by MERC

i.e. “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers vide powers conferred on it by Section 181 read with subsection 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. [Electricity Supply Code and other conditions of supply Regulations 2005] Here in after 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.

Applicant says

The applicant submitted that our meter not showing any reading in the month of April 2016 and May 2016. In the month June 2016 it showed a reading of at least 2.5 times out average used. He further submit that he made complaint to the Respondent about faulty meter and they changed the meter in OCT 2016. The meter testing Report shows that it found ok in the ”Error test & dial test for KWH parameters”. The applicant state that a new meter was installed in the month of Oct 2016 and total KWH reading of meter for the period Oct16 to Aug 2017 is 117266 units for 11 months while the total units charged us between Apr 2016 to Sept 16 was 112991 units just in six months. Due to dispute they have been charged us interest 23,920/- and delayed penalty of 24894/- during April 16 to August 2017. The Applicant further submits that our average bill as per new meter is around 10600 units per month so our total usage for 6 Months (April to Sept 16) should be 63600 units, while the units charged to us during same period is 112991 units. The applicant prayed to issue the order to the Respondent to issue revised bill for the month Apr 16 to Sep 16 based on our average reading.

The Notice issued to the Respondent to submit para wise reply and to present before Forum. The Respondent submit para wise reply on date 23 August 20018 stating that the applicant was billed on average basis in April 2016 and May 2016 as reading was not available so accumulated bill was issued the applicant. The Respondent Further submit that the applicant made complaint regarding high bill in the month Aug2016 & Sept 2016. The meter was accuhecked by the Assistant Engineer and was found ok still the applicant not satisfied. The meter was replaced and sent testing at Ambika Nagar Thane. The meter report shows that meter working normal and all parameter found ok. The electricity bill of applicant revised for Sept month 1,14,101,75/-, March 2017 108715.72 also Interest& DPC credit of amount Rs 69982.18/- has been issued and it will reflect in April 2018 billing month.

The Respondent further submits that billed consumption from April 2016 to June 2016 is 49795 units which were revised to 23679 units and 26116 units were refunded to the consumer. Heard both parties and gone through documents on record it is found that disputed stared when the applicant received bills without units consumed due to non availability of meter reading. Suddenly in next month June 2016 the applicant received bill 2.5 of average units consumed per month. He made the compliant to Respondent about high bill and meter. The Respondent test meter a site found ok but applicant not satisfied with result so again requested to test in Laboratory for that he paid testing fees ut testing report shows that meter found ok. Electricity bills to the applicant not got as per reading it is duty of the Respondent to issue the correct bill the applicant as MERC ( Consumer Grievance Redressal forum & Electricity Ombudsman Regulation 15.3.1 In case for any reason the meter is not accessible, and hence is not read during any billing period, the Distribution Licensee shall send an estimated bill to the consumer: Provided that the amount so paid will be adjusted after the readings are taken during the subsequent billing period(s). 15.3.2 . In this case the Respondent already revised the for Sept month

Rs1,14,101,75/-, March 2017 108715.72 also Interest& DPC credit of amount Rs 69982.18/- given to the applicant. The dispute is completely resolved by revising the bill. Only the relief granted to the applicant due to mistake on the side of the Respondent he has liberty to pay the accumulated bill given which is revised pay in 3 installment along with current bill.

ORDER

1. The application 120/2018 is partly allowed.
2. The Respondent shall grant three installments without DPC& Intersect.
3. The applicant has liberty to bill lumsum if he want otherwise bill installment along with current No order as to cost.
4. No order as to the cost.

**I Agree/Disagree**

**I Agree/Disagree**

**MRS. SHARMILA RANADE,  
MEMBER  
CGRF, BHANDUP**

**Dr. SANTOSHKUMAR JAISWAL  
CHAIRPERSON  
CGRF, BHANDUP**

**RAVINDRA S. AVHAD  
MEMBER SECRETARY  
CGRF, BHANDUP**

The order is issued under the seal of Consumer Grievance Redresses Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, and Bhandup.

**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, Keshav Building, Bandra - Kurla Complex, Bandra (E), Mumbai - 400 051"

b) b) consumer, as per section 142 of the Electricity Act, 2003, can approach Hon'ble Maharashtra electricity Regulatory Commission for non-compliance, part compliance or

c) Delay in compliance of this decision issued under" Maharashtra Electricity Regulatory Commission ( consumer Redressed Forum and Ombudsman) Regulation 2003" at the following address:-

"Maharashtra Electricity Regulatory Commission, 13<sup>th</sup> 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.