



Consumer Grievance Redressal Forum, Kalyan Zone
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NO. K/E/1593/1920 OF 2019-20

Date of registration : 26/06/2019

Date of order : 18/09/2019

Total days : 84

IN THE MATTER OF GRIEVANCE NO. K/E/1593/1920 OF 2019-20 OF SHRI.NARESH LEKHRAJMAL ALIAS, BK NO.2005, R.NO.12, ULHASNAGAR-5, DIST. THANE, PIN CODE – 421 005. REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT BILLING DISPUTE.

Shri.Naresh Lekhrajmal Alias,
BK No.2005, R.No.12, Ulhasnagar-5,
Dist. Thane, Pin Code – 421 005
(Consumer No. 021510944591) . . . (Hereinafter referred as Consumer)
V/s.

Maharashtra State Electricity Distribution
Company Limited
Throughit'sNodal Officer/Addl.EE.
Kalyan Circle – II, Kalyan . . . (Hereinafter referred as Licensee)

Appearance : For Licensee - 1) Shri.Vinod Vipor, AEE, Ulhasnagar S/dn. – V
2) Smt.Ashwini Ishte, AE (QC), Ulhasnagar S/dn. – V

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

[Coram- Shri A.M.Garde-Chairperson, Shri A.P.Deshmukh-Member Secretary
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 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 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. [Electricity Supply Code and other conditions of supply Regulations 2005]. 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.

- 2) Consumer herein Shri.Naresh Lekhrajmal Alias, Consumer No. 021510944591 having Industrial connection at Ulhasnagar. The main contention of consumer is. He received exorbitant bill in month of Sept-2017 of '8725' units which is very high compared to his previous bills and connected load which is 10 kw. Distribution Licensee got the bill paid. Consumer Representative demands revision of bill as per previous months billing. Consumer Representative also demands SOP compensation.
- 3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/297 dt.26/06/2019 to which Licensee appeared and filed reply on 10/07/2019.
- 4) Distribution Licensee in its reply contends that, consumer has been issued electricity bills as per recorded consumption. Meter is not faulty as MRI has recorded all data. Distribution Licensee says that as per MERC, CGRF and Ombudsman regulation 6.7 (C) grievance in respect of the same subject matter in previous proceedings, the forum shall not entertain the matter. In case of Shri.Ramgopal Varma, which is the same matter is already dismissed by forum and Hon'ble Ombudsman, Mumbai. Distribution Licensee further contends that as per MERC, CGRF and Ombudsman regulation 6.8 (d), recovery of arrears where the bill amount is not disputed shall not be entertained by forum. In present case bill amount is not disputed as said bill of Sept-2017 is paid by consumer. By considering all above Distribution Licensee requested to dismiss the case.
- 5) Consumer Representative Shri.Rajput submitted rejoinder, in which he contends that Distribution Licensee. Wrongly downloaded MRI date in Sept-2017 and due to that memory of meter got corrupted, slot reading increased and mismatch occurred with header reading. MRI header reading for month of Sept-2017 is matching with meter display reading. Whereas Distribution Licensee billed consumer with total of slot readings, which caused billing of '8725' units. Distribution Licensee has given duplicate ASC-II file for billing and billed wrongly to the consumer. Consumer Representative further contends that as per Genus company report MRI could not be downloaded thru optical part, then how Distribution Licensee has downloaded the MRI? As far as Vishnu Tolani and Ramgopal Sharma cases are concerned, Distribution Licensee has given manipulated ASCII files at the CGRF and Ombudsman, also duplicate panchanama's submitted. Hence the cases has been dismissed by Ombudsman. As per Genus company report meter is faulty hence bill to be revise as per regulation 15.4.1 for month of Sept-2017 . SOP also demanded by Consumer Representative.
- 6) We have heard both sides and given careful thought on documents submitted before us, from the record kept before us, it is clear that consumer billed manually till month of Aug-2017, where consumer billed as per header reading only. In month Sept-2017 Distribution Licensee started billing as per MRI reading, in which Distribution Licensee noticed that total of A, B, C, D slot not matching with header reading. Hence consumer billing done as per total of slot wise

reading instead of header reading of MRI, which is also same as meter display header reading. From analysis of all MRI/MR9/ASCII files it is clear that the total of slot wise KWH reading is not matching with total KWH reading counter on meter display and it is not matching with MRI header KWH reading. Instructions given Distribution Licensee for testing of meter at Genus Company. Accordingly Distribution Licensee got the meter tested from company. Analysis report is as follows.

Meter Analysis Report

1	Customer Name	Addl. Executive Engineer, MSEDCL O & M Sdn., Ulhasnagar -5
2	Meter Sr. No.	2453894
3	Meter Description	3 Phase 4 Wire, 10-40 A Consumer Meter
4	Nature of Fault	Slot mismatch
5	Observation	<p>After analysis of meter following are the observations</p> <ol style="list-style-type: none"> 1) Meter powered ON in mains mode. 2) Meter's data not getting downloaded through optical port. 3) Meter further checked and meter body found intact. 4) No external tampering suspected. 5) As per display parameters seen in meter, it looks like meters internal memory got corrupted. 6) Meter cannot be tested for accuracy. 7) Meter is defective due to internal Component failure.
6	Conclusion	Meter is found to be faulty. Guarantee period over. MFG 08/2009

From the analysis report company made an observation that "As per display parameters seen in meter, it looks like meters internal memory got corrupted" In our opinion it seems that the slot wise reading of the meter is recording correct data & it is matching with the MRI data for slot wise reading. The total KWH counter of meter may have got corrupted between date of installation to Sept-2017. The said memory corruption period could not be ascertained by the Genus Company. Considering the above facts and meter testing report, this forum has opined that the slot wise consumption recorded in the meter cannot be denied and Distribution Licensee has right to recover the unbilled units as recorded in meter. When the same slot wise meter reading is also recorded in the MRI. It is also noted that slot wise readings prior to Sept -2017 was adjusted manually, hence the same are not matching with slot wise MRI reading taken in month of Sept-2017.

7) The delay is due to complicated issue involved in the case. Also the meter sent to manufacturer which consumed lot of period. Both parties submitted lot of records, which consumed time, Hence the delay.

Hence the order.

ORDER

Grievance application is hereby rejected.

Date: 18/09/2019

Sd/-
(Mrs.S.A.Jamdar)
Member
CGRF, Kalyan

Sd/-
(A.P.Deshmukh)
Member Secretary
CGRF, Kalyan

Sd/-
(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.