

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission
under Section 42(6) of the Electricity Act, 2003)

REPRESENTATION NO. 7 OF 2020

In the matter of billing

Rajkumar Mohanlal Dhameja..... Appellant

V/s.

Maharashtra State Electricity Distribution Co. Ltd., Ulhasnagar I (MSEDCL)... Respondent

Appearances

For Appellant : J. S. Rajput, Representative

For Respondent : 1. H. J. Gothwad, Additional Executive Engineer
2. K.N. Jaykar, Dy. Manager


Coram: Deepak Lad

Date of Order: 18th June 2020

ORDER

This Representation is filed on 6th January 2020 under Regulation 17.2 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (CGRF Regulations) against the Order dated 2nd December 2019 passed by the Consumer Grievance Redressal Forum, MSEDCL Kalyan Zone (the Forum).

2. The Forum, by its Order dated 02.12.2019 has dismissed the grievance application in Case No. 143/1956/2019-20.


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3. The Appellant in his representation has submitted that it is an industrial consumer having Consumer No. 021514001275 and billing unit No. 4172 with sanctioned load of 21 KW and contract demand of 17 kVA. It received a bill of 1942 units for the month of August 2019 to be paid in September 2019. The Appellant stated that billing prior to August 2019 and after October 2019 is normal. The Respondent has not sent the meter for testing despite its request. The meter needs to be sent to the manufacturer of the meter for testing as he does not have faith in testing laboratory of the Respondent. His case may be decided based on the meter testing report.


4. The Respondent vide its letter dated 01.02.2020 submitted that the Appellant filed complaint of high bill for the month of August 2019 for 1942 units amounting to Rs.38420/-. The Appellant further stated that there is no use of power during this period. After receipt of the complaint, MRI data for the month of August is checked and found that the consumer consumed substantial energy in all slots. Therefore, the bill is correct. The representation may be dismissed.

5. During the hearing held on 27.02.2020, both the Appellant and the Respondent argued in line with their written submissions. The Appellant requested that the meter be sent to the meter manufacturer for testing as he does not believe in testing at the Respondent's testing laboratory. On being questioned as to whether he is ready to bear the expenses for such testing, the Appellant agreed that the expenses shall be borne by him. The Respondent's representatives did not argue much and were ill prepared for the hearing.

Analysis and Ruling

6. After having heard the parties, the interim order was passed on 27.02.2020 as follows.

- “(a) The Respondent is directed to send the meter to the meter manufacturer after following due procedure such as removal of the meter, sealing of the meter and finally sealing the box in which the meter will be sent in presence of the Appellant or his authorized representative.*
- (b) The Respondent shall take an undertaking from the Appellant for the expenditure to be borne by him for testing at the manufacturer's laboratory which shall either be recovered first or*


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can be adjusted subsequently through energy bills of the Appellant before sending the meter for testing.


- (c) Meter shall be changed within three days after receipt of the undertaking of the Appellant.*
- (d) The Respondent shall intimate this office about the receipt of the testing report of this meter after which hearing shall be scheduled accordingly.*
- (e) Whenever the next hearing is scheduled, Executive Engineer shall be present to argue in this case."*

7. In pursuance of the above interim order, the Respondent vide its letter dated 18.03.2020 which is also endorsed to the Appellant, informed that the meter is replaced on 18.03.2020 and the old meter is sent for testing to M/s. Secure Meter Ltd. However, since then nothing is heard from the Respondent as to whether the meter testing report has been received or otherwise. Therefore, the secretariat of this office contacted the Respondent on 18.06.2020 to know the status of the testing report. The Respondent's official, Mr. Gothwad informed that meter testing report has not yet been received.

8. In view of the Covid-19 situation that may be prevalent at the meter manufacturer's testing facility, it is decided that the matter may not be kept pending indefinitely. It is therefore decided to issue the order subject to the final testing report that would be received by the Respondent. Therefore, the undersigned proceeded with this order.

9. It is a fact that the Appellant received high bill in the month of August 2019 whereas the consumption prior to August 2019 and after October 2019 is quite low. There could be another angle to this case because such a low consumption prior to August 2019 despite contract demand being 17 kVA, could be on account of factory being almost closed or the meter is defective. In view of this discussion, I pass the following order:

- (a) The Respondent is directed to pursue the matter with the meter manufacturer for getting the testing report as early as possible.
- (b) The Respondent is directed to revise the bill for the month of August 2019 in accordance with the testing report as and when the testing report is received.
- (c) The Respondent may also examine and ascertain as to why the consumption of the Appellant is low prior to August 2019.


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- (d) The Respondent is directed to give proper treatment in view of the Regulations to the testing fee / expenses for getting the meter tested based on the testing report of the meter.
- (e) The Respondent is directed to submit the corrective action taken by it after receipt of the testing report.

10. The Representation is disposed of accordingly.

Sd/

(Deepak Lad)
Electricity Ombudsman (Mumbai)



(Dilip Dumbre)
Secretary
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