

FORUM FOR REDRESSAL OF CONSUMER GRIEVANCES
RELIANCE INFRASTRUCTURE LTD,
South Central Division, Plot No. E-7 Canteen Bldg., 3rd Floor, MIDC Area, Andheri E,
Mumbai 400 093

Website: www.cgrfrinfra.org.in

Phone : 30094247 / 45
Email: Consumer.Forum@cgrfrinfra.org.in

Ref: Case Nos. 20/2016

14th January, 2017

Mr. Salaudding Gulam Nabi Ansari
1st Floor, Gala No. B-8,
Shivshakti Compound, 90Ft Road,
Netaji Nagar, Khadi No. 3
Kurla West,
Mumbai 400 072.

Tel. : 9821016878 / 9819855894
Email : asahabuddin93@gmail.com

Dear Sir,

Sub : Case No. 20/2016
Minutes of Hearing dtd 13th January, 2017

Please find enclosed herewith the certified copy of the Order dtd. 13th January, 2017 of Case Sr.No.20/2016 .

In case you are aggrieved by the non-redressal of your grievance, you may file the representation of your grievance to the Office of the Electricity Ombudsman within sixty (60) days from the date of the Order of the Forum.

The address of the Office of the Electricity Ombudsman is as below :

OFFICE OF THE ELECTRICITY OMBUDSMAN (MUMBAI)
606, 'KESHVA', Bandra-Kurla Complex,
Bandra (East), Mumbai – 400051.
Contact – 022-6592965 (Email – electricityombudsmanmumbai@gmail.com)
Website : www.mercombudsman.org

This is for your information & record.

Kindly acknowledge the Receipt.

Thanking you,

Yours faithfully,
For Forum for Redressal Of Consumer Grievances.


Sonali
Secretary (CGRF – Rinfra)

Encl : As above.

**BEFORE THE FORUM FOR REDRESSAL OF CONSUMER GRIEVANCES
RELIANCE INFRASTRUCTURE LIMITED**

Sr.No. 20/2016 Mr.Salauddin Gulam Nabi Ansari, 1st Floor, Gala No.B/8, Shiv Shakti Compound, 90ft Road, Netaji Nagar, Khadi No.3, Kurla West, Mumbai 2 D Keshav Bldg, Mumbai 400 072

C.A.No. 151384474, Commercial, East Division

Minutes of the Meeting dated. 13th January,2017

PRESENT

1. Mr. Vilas S Dikshit,- Chairman
2. Mr. Rajiv Nakhare, Vice President (RInfra) - Member
3. Mr. Satyanarayan Rajhans, Member

On behalf of M/s. Reliance Infrastructure Limited

- 1.Mr. Mritunjay Jha, Dy.General Manager (Corporate Legal) Nodal Officer
- 2.Mrs. Poornima Niralay, AVP, East Division

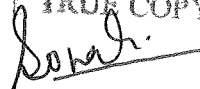
On behalf of Applicant / Complainant

1. Mr. Sahabuddin Ansari(Son of the Applicant)
2. Mr. Dildar Shaikh (Representative of the Applicant)

Being aggrieved by the order passed by IGR Cell of RInfra , the Applicant / Complainant Mr. Sahabuddin Ansari (Son of the registered consumer –Mr.Salauddin Gulam Nabi Ansari) filed the present grievance application before this Forum.

It is the grievance of the Applicant / Complainant that his Meter no. 5370390 was removed on 30.03.2015 due to nonpayment of arrears of Rs. 9,760/-. He added that he cleared the said arrears and RInfra restored his supply and installed new Meter (No. 8669654) . In the month of April'2015 he was shocked to receive a bill of Rs. 42,250/- for 3440 units. On enquiry he was told the old Meter no. 5370390 had recorded the reading upto '15820' and consumption billed to him was up to reading '12380' . He stated that his average consumption

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was approximately 200 units every month and that he was using electric meter at first floor for go-down purposes only.

He added that he requested Rlnfra to furnish laboratory test report for Meter no. 5370390 on many occasions. However, he did not receive any reply regarding the same.

The Nodal Officer filed the reply. It is his contention that Electric Meter No. 5370390 installed at the Applicant's / Complainant's premises was removed due to non-payment of Rs.9,760/- after following due process of law on 29.03.2015. The Applicant / Complainant was billed upto reading '12380' on estimated basis in February'2015 due to meter display issue. However, the actual reading recorded on meter was '15820'. The difference of the units. '3440' (15820 – 12380 =3440) was billed to the Applicant / Complainant. Further the said meter was sent to the meter testing laboratory and as per the test report, the meter was found working within the prescribed limits of accuracy. The bill raised to the Applicant / Complainant was as per the actual consumption recorded in the meter.

The Nodal Officer further stated that it is pertinent to mention that during the last 3 years, meters have been replaced for five times and in all meters there was display error. The Respondent conducted a site inspection on 02/08/2016 through it's authorized officer and during inspection it was found that the Applicant / Complainant has connected excess load in comparison of the contracted load. It is pertinent to mention that the contracted load of the Applicant / Complainant was just 180 watts whereas total connected load found was 09 KW. Subsequently on 17/12/2016 once again the premise of the Applicant / Complainant was visited by the authorized officer of Respondent. During inspection, it was observed that the Applicant / Complainant was again indulging in unauthorized use of electricity. Accordingly for unauthorized use of electricity the Respondent has initiated suitable action against the consumer under Section 126 and 135 of the Electricity Act, 2003 respectively.

In short it is the contention of the Nodal Officer that there is no illegality or irregularity in raising the said bill. The Nodal Officer submitted that the Respondent (Rinfra) has initiated suitable action against the consumer under section 126 and section 135 , under Electricity Act, 2003 respectively for unauthorized use of electricity.

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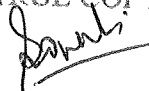
At the outset , we would like to clear that only because the Nodal Officer submitted that the action under section 126 and section 135 of Electricity Act, 2003 has initiated against the consumer , there is no reason to take the prejudice view against the Applicant / Complainant but this Forum would like to decide the present case on the merits of this case.

The main grievance of the Applicant / Complainant appears to be that the meter was not tested in his presence and he was given the excessive bill. He submitted that his average consumption was 200 units per month and he was using the electric meter at the first floor for godown purpose only. It was submitted during the time of hearing that the Applicant / Complainant is not ready to accept the Test Report. The representative of the Applicant / Complainant drew attention of this Forum to the Test Report. He submitted that at the top of this Test Report , the word " Special Case " is appearing. In fact, there is no reason to treat this case as a Special Case. The representative of the Applicant / Complainant also submitted that it is mentioned at the bottom of the Test Report that the Consumer / Consumer's Representative have witnessed the testing of above mentioned meter and hereby accept the Test Report. There is no signature either of the Applicant or the Representative of the Applicant on this Test Report acknowledging that the meter was tested in their presence. He also submitted that the Test Report was submitted him very late.

Further, the representative of the utility (RInfra) pointed out that though there is a mention at the bottom of Laboratory Test Report that " I / We consumer / consumer's representative, have witnessed the testing of the above mentioned meter and hereby accept the Test Report", it is a standard format and against the above remark is written as " NOT APPLICABLE". Also, the Laboratory Test Report is a computer generated print out and hence, not signed by the concerned Officer of the utility (RInfra)

There is no reason to dispute that the meter was tested in his absence but this Forum finds it difficult to accept that the average consumption of the Applicant / Complainant must be 200 units per month. This Forum is of the opinion that when there is proof to show that the meter was working within the permissible limits of accuracy , this Forum can not go by logic. Moreover, during the course of hearing the Nodal Officer submitted that when the contracted load on the meter was 180 watts , the Applicant / Complainant was using 09 kW. The Nodal officer submitted that when the inspection was done it was noticed that the Applicant / Complainant was utilizing the electricity for the use of 29 Tube Lights of 40 watts each , 6 fans

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of 60 watts each, 28 sewing machines of 250 watts each and 2 Industrial Exhaust Fans. If this fact is taken into consideration, it can not be assumed that the Applicant / Complainant must be using only 200 units per month.

During the course of hearing, the Nodal Officer submitted that the meters installed at the premises of the Applicant / Complainant were burnt number of times. Needless to say that the burning of the meters for number of times must be due to excess load on the meter. Hence, this Forum do not find any substance in the submission of the Applicant / Complainant that his monthly consumption was 200 units per month and he was charged excessively. However, this Forum feels that there is some substance in the submission of the Applicant / Complainant that there was no any reason to treat this case as a 'Special Case' and the endorsement at the bottom of the Test Report that the meter was tested in his or in the presence of his representative.

While replying the contention of the Applicant / Complainant , the Nodal Officer and the Representative of RInfra submitted that this format is provided by the MTD and showed one more Laboratory Test Report of another case in the same format. Even for the sake of argument, it is believed that this is the prescribed format, it is not expected to be used blindly. We feel that there is nothing wrong in making slight corrections in this Format without altering the basic columns. We feel that the concerned person of the utility (RInfra) should take care of this fact while giving Laboratory Test Report in future.

It is also the grievance of the Applicant / Complainant that he wrote number of letters to the utility (RInfra) but no cognizance of the same was taken.

Off Course, there is, also ,no reason to dispute about this fact that number of letters were written by the Applicant / Complainant but we feel that there is no substance in the submission of the Applicant / Complainant that no cognizance of his letters were taken. We are saying so because during the course of hearing it was submitted on behalf of the RInfra that the representative of the Applicant / Complainant visited their office many a times and the talk was going on between him and the representative of the utility (RInfra). Hence, the reply in writing to the letters of the Applicant / Complainant was not given.

The representative of the Applicant / Complainant fairly admitted this fact.

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If all these above facts are taken into consideration, this Forum feels that there is no defect / error in raising the bills as alleged by the Applicant / Complainant and the present application deserves to be disposed off. Hence, the following Order :-

ORDER

The grievance application stands disposed off.

Forum directs the Nodal Officer / Legal counsel to direct the person concerned to take the appropriate steps for submission of laboratory Test Reports to the consumers at the earliest with necessary corrections as stated above.

No Order as to cost.

Dated : 13th January, 2017.
MIDC, Mumbai

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Sd/-

Vilas S Dikshit
Chairman CGRF

Sd/-

Rajiv Nakhare
Member CGRF

Sd/-

Satyanarayan Rajhans
Member - CGRF