

ग्राहक गा-हाणे निवारण मंच
महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
औरंगाबाद परिमंडळ.

Old Power House Premises, Dr.Ambedkar Road, Aurangabad. Phone: 0240-2336172

No,CGRF/AZ/U/72/2007/41

Date

To,
The Executive Engineer (Administration)
O/O Superintending Engineer ,
O&M Urban Circle, M.S.E.D.C.L.,
Aurangabad.

Sub:- Forwarding of grievance in respect of Janarth, 19, Samadhan
Colony, Aurangabad.

Dear Sir

**Please find enclosed herewith a copy of the grievance
application received by the forum from Janarth, 19, Samadhan
Colony, Aurangabad (Consumer No. 490010202008).**

You are requested to submit your parawise reply on the grievance
within 15 days from the date of this letter

**. The hearing of the grievance is fixed on date 24.12.2007 at
11.30 Hrs.**

You are also requested to be present along with the concerned in
charge at the time of hearing.

Encl As above.

Copy to:-
Janarth, 19, Samadhan
Colony, Aurangabad

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औरंगाबाद परिमंडळ,औरंगाबाद.

Old Power House Premises, Dr.Ambedkar Road, Aurangabad. Phone-2336172

No,CGRF/AZ/AUR/U/72/2007/41/

Date :-

To,
The Executive Engineer (Administration)
O/O Superintending Engineer,
M.S.E.D.C.L. O&M Urban Circle,
Aurangabad.

Sub: Postponement of Grievance Case No.72/2007/41
(Consumer No. 490010202008)

Ref:- Letter No.CGRF/AZ/AUR/U/72/2007/41/278
dt. 07.12.2007

Dear Sir,

With reference to the above subject, the hearing of the grievance in respect of Janarth, 19, Samadhan Colony, Aurangabad. (Consumer No.490010202008) is postponed and the next date of hearing is 26.12.2007 at 12.30 Hours

You are therefore requested to be present along with the concerned in charge at the time of hearing .

Member Secretary
C.G.R.F. Aurangabad

Copy to:-

Janarth, 19, Samadhan Colony, Aurangabad.

For information and take a note of hearing date and time.

**BEFORE THE CONSUMER GRIEVANCE REDESSAL FORUM
AURANGABAD ZONE, AURANGABAD.**

Case No: **CGRF/AZ/AUR/U/72/2007/41**

Date of filing: **07..12.2007**

Date of Decision: **21.01.2008**

Shri Pravin Vishnu Mahajan
"Janarth" Samadhan Colony
Aurangabad.
(Con.No. 490010202008)

The consumer
complainant.

Vs.

Maharashtra State Electricity Distribution Co. Ltd.
Urban Circle, Aurangabad.

The Distribution
Licensee.

Coram :

Shri V.A.Hambire:
Shri H.A. Kapadia
Shri V.G. Joshi

Chairman
Member
Member Secretary

Sub: Grievance under the Maharashtra Electricity Regulatory
Commission,(Consumer Grievance Redressal Forum and
Ombudsman) Regulations 2006.

The consumer complainant Shri Paravin V.Mahajan, r/o Samadhan
Colony,Aurangabad has filed his grievance in annexure "A" on
07..12.07 under Regulation No.6.10 of the Regulation 2006 . A copy of
the grievance was forwarded on 07.12.07 to the Nodal Officer and
Executive Engineer (Adm.) , in the office of the Superintending
Engineer , M.S.E.D.C.L., Urban Circle, Aurangabad. with a
request to furnish his response within 15 days from the date of
receipt of the letter and the hearing in the matter was fixed on
24.12.2007.

“2”

The grievance of the consumer, in brief, as per consumer is as stated below.

The consumer is having residential connection at above referred address. On 20.6.07 his old meter was replaced by new digital meter bearing serial No. 9041108448 . He received first bill after replacement of meter on 13.7.07 for Rs. 2209/. Since the new digital meter was not recording correct , he brought this fact to the notice of the Chavani and Railway station office of the Distribution Licensee (hereinafter referred to as D.L.) In the month of Sept.2007,he received a bill amounting to Rs. 97210/ . In spite of his constant follow up with D.L.'s concern offices , no cognizance was taken and his supply was disconnected without giving any notice on account of nonpayment of the said wrong bill. He was asked to pay Rs. 25000/ against this bill and also Rs. 500/ towards testing charges of the meter. After payment of Rs.25000/ his supply was restored and his meter was replaced by the D.L. and send for testing purpose. The said meter was declared Faulty by the meter testing unit of the D.L. The consumer therefore filed his grievance in the Forum and requested the Forum to direct the D.L. to revise the bill and to refund the excess amount paid by him along with interest.

On the date of first hearing i.e. on 26.12.2007 , consumer Shri Pravin Mahajan was present . Nodal officer Shri S.G.Pawar was present on behalf of D.L. . The Nodal officer filed an application for adjournment of hearing stating that the details of the case are not made available to him by the concerned sub division. The consumer requested the Forum to direct the D.L. not to disconnect his supply till disposal of the case . The request of consumer was granted and the Nodal officer was directed not to disconnect the electricity supply of the consumer till disposal of the matter. The next hearing was fixed on 1.1.08 .

On 1.1.08, Mrs. Anuradha Lone , authorized representative of the consumer was present. Shri Pawar, Nodal Officer, filed his reply on the grievance of the consumer along with copy of CPL and bill revision sheet. Both the parties were heard . During the hearing consumer representative stated that the daily consumption record of the electricity used is maintained by her. The consumer was directed to file the copy of the daily consumption record of the disputed period and the Nodal officer was asked to file the meter replacement report and meter testing report of the old meter before 5.1.08 . The matter was kept for decision.

On going through the documents filed before the Forum , we observed that the old meter bearing serial number 07023152 was replaced by a new meter bearing Sr.No. 41108448 in the month of June 2007 by the D.L. The initial reading of the new meter was 00015 and that of old meter at the time of replacement was 26682. Even though the meter replacement report file by the Nodal officer shows the date of replacement as 15.7.07, the bill issued by the D.L. for the period 31.5.07 to 30.6.07 shows remark of MET-CHG (i.e meter change) which confirms that the meter was replaced in the month of June 2007 and not on 15.7.07. We further observed that the bills issued to the consumer after the replacement of meter are as under.

Period	Previous Reading	Current Reading	Difference (Units billed)	Amount
31.5.07- 30.6.07	26323	MTR-CH	493	2010=00
30.6.07 -31.7.07	15	MTR-CH	493	2290=00
31.7.07- 30.8.07	15	15373	15697	97210=00
30.8.07- 31.9.07	15373	16230	857	76417=00
31.9.07-30.10.07	16230	17039	809	81521=00
30.10.07-30.11.07	17039	MTR-CH	3041	101258=00

From the above meter reading recorded in the CPL , it is clear that due to non availability of reading , the bill for 493 units were issued to the consumer on average basis for the month of June & July 2007.

On the complaint of the consumer the meter bearing Sr.No. 41108448 was replaced on 6.11.07 by another meter bearing Sr.No. 41107715 with its initial reading as 0000011. The old meter was tested by the D.L. and subsequently found defective in the testing at D.L.’s own testing Laboratory. The reading therefore recorded by this defective meter during the period June 2007 to its replacement date i.e. 6.11.07 are also therefore not correct. The consumer , has submitted his daily meter reading records to the Forum which also clearly reveal that the meter bearing Sr.No. 41108448 was not recording proper readings since its installation. All the bills , issued during this periods are therefore required to be revised.

We further observe that the consumer was asked to pay Rs. 500/ towards testing charges of the meter which are more than the prescribed & approved rates by the Hon’ble Commission. Since the meter was found defective , the charges collected by the D.L. towards its testing shall have to be refunded to the consumer.

“4”

We further observed that , on account of excessive & wrong bills issued by the D.L. the consumer has number of times approached the D.L., for rectification of bill but however no heed was given to his request . On the contrary his electricity supply was disconnected without giving any prior intimation and it was only after payment of Rs. 25000/ by the consumer the supply was restored. The D.L. has acted in monopolistic way and also violated the provision (Section 56) of the Electricity Act 2003 by disconnecting the supply of the consumer without giving prior notice.

Looking to the above observation, we are of the opinion that , all the bills issued to the consumer during which the defective meter was installed needs to be revised Also the consumer needs to be compensated for this gross negligence & violation of provisions of the Electricity Act 2003. .

Hence the following order.

ORDER

1. All the bills issued after installation of meter bearing Sr.No. . 41108448 are hereby squashed.
2. The bills for the above period shall be revised considering the average of last 12 months consumption within one month from the date of this order.
3. The testing charges of Rs. 500/ collected by the D.L. shall be refunded/ adjusted in the bill to be revised as per (2) above order. .
4. D.L, shall pay Rs. 2500/ towards compensation for harassment and violation of provisions of section 56 of the Electricity Act 2003.

The D.L & the consumer shall comply with the above order and report compliance to the Forum.

Inform the parties and close the case

(H.A.Kapadia)
Member

(V.G.Joshi)
Member secretary

(V.A.Hambire)
Chairman

ग्राहक गा-हाणे निवारण मंच
महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
औरंगाबाद परिमंडळ, औरंगाबाद.

जुने पावर हाऊस, पोलीस आयुक्तालयासमोर, डॉ.बाबासाहेब आंबेडकर रोड, औरंगाबाद.- ४३१ ००१,फोन.२३३६१७२

Case No. CGRF/AZ/U/72/ 2007/ 41/

Date;-

To,

- 1. The Executive Engineer (Adm.)
O/O Superintending Engineer
O & M , Urban Circle, M.S.E.D.C.L.
Aurangabad.**
- 2. Shri Pravin Vishnu Mahajan,
Janarth, Samadhan Colony,
Aurangabad.**

Subj :- Grievance in case No. CGRF/AZ/AUR/U/72/2007/41
regarding electricity duty.

Please find enclosed herewith the order passed by the Forum
in the case mentioned above

The consumer, if not satisfied with the decision of the Forum , is at
liberty to make a representation to the Electricity Ombudsman, the contact
details of whom is as under, within a period of 60 days from the date of
this order.

Yours Faithfully,

Encl: A/A

Contact Details of Electricity Ombudsman:
The Electricity Ombudsman
Maharashtra Electricity Regulatory Commission
606-608, Keshava Building
Bandra-Kurla Complex, Mumbai 400 051
Tel.No. 022-26590339