

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/018/2008

Applicant : Shri Vijay Chintaman Shivaruke
At Palora, Post, Parshivani,
Taluka Parshivani,
Dist. Nagpur.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Division No. II, NUZ,
Nagpur.

Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

2) Shri S.J. Bhargawa
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 31.03.2008)

This grievance application is filed on 15.03.2008 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of allegedly wrong and excessive energy bills for the months of May and June 2007 and also in respect of allegedly illegal disconnection of his power supply in September 2007.

Before approaching this Forum, the applicant has filed his complaint on the same subject matter on 09.07.2007 to the Junior Engineer, Parshivani MSEDCL. A similar intimation about his grievance was given by the applicant addressed to the Jr. Engineer on 23.11.2007 also. However, no remedy was provided to the applicant's grievance and hence, the present grievance application.

The intimation given by the applicant to Jr. Engineer as aforesaid is deemed to the intimation given to the Internal Grievance Redressal Cell (in short, the Cell) under the said Regulations and as such, the applicant was not required to approach the Cell before coming to this Forum.

The matter was heard on 31.03.2008.

The applicant's case was presented before this Forum by his nominated representative one Shri Manohar Jagannath Dhole while the Executive Engineer, Division – II, MSEDCL represented the non-applicant Company.

It is the contention of the applicant's representative that the applicant had filed his complaint about excessive billing for the months of May and June 2007 vide his application dated 09.07.2007 addressed to Jr. Engineer, Paraseoni for the first time. In this application, the applicant requested the Jr. Engineer to check his meter and to revise the excess bill amounts. The applicant had also shown willingness to pay the meter testing charges. The applicant has paid all

his previous energy bills regularly up to April 2007. According to the applicant's representative, the applicant's meter had shown excessive consumption not commensurate with the applicant's average monthly pattern of consumption during May & June 2007 and hence he requested the non-applicant to revise these bill amounts on the basis of his earlier pattern of average monthly consumption. The applicant in his application dated 23.11.2007 addressed to the Jr. Engineer reiterated that he has already paid the meter testing charges of Rs.100/- and that the excessive billing done earlier was due to some defect in his meter. He has also stated in this application that the meter testing result has not been communicated to him. He also requested for restoration of his power supply. According to him, the applicant's power supply was disconnected in the month of September 2007 without any notice to the applicant and as such, disconnection of his power supply was illegal.

The non-applicant has submitted his parawire report dated 31.03.2008 which is on record. A copy of this report was given to the applicant and he was afforded opportunity to submit his say on this report.

The non-applicant has contended that the applicant's consumption was 52 units, 142 units, 79 units, 413 units, 205 units, and 127 units respectively in the months of February 2007 to July 2007. His consumption particularly in the months of May and June 2007 was of 413 and 205 units evidently because of drawal of more power by the applicant in the summer month. This is the reason why his consumption was much more than his previous average monthly consumption. The applicant's meter was also sent to the meter testing

unit as per the applicant's written request dated 09.07.2007. His meter, being meter no. 2539071 was accordingly tested by the Dy. E.E. C.C. O&M Dn-II, in the meter testing unit of Khaperkheda on 18.08.2007 and after testing, the meter was found to be alright. A copy of this meter test report is also produced on record by him.

According to him, the applicant's meter's final reading was 973 units in July 2007 on the date of its removal from the applicant's premises for being sent to the Testing Unit and that the meter's previous reading in the month of February 2007 was 175. Considering these two readings, it transpires that the applicant has consumed 798 units during the period of six months from February 2007 and July, 2007. His average per month consumption, therefore, comes to 133 units which is quite reasonable. The last energy bill that was paid on 31.07.2007 by applicant was of Rs. 700/-. Thereafter, the applicant did not make any payment of energy bill amounts. It is also stated by the non-applicant that the applicant also did not remit meter testing fee of Rs.100/-.

As regards the applicant's complaint of illegal disconnection of his power supply, the non-applicant's contention is that the applicant himself has admitted in his application dated 09.07.2007 that he had duly received power disconnection notice. He further clarified that the applicant's power supply came to be disconnected on 10.10.2007 and not in September 2007 as stated by the applicant.

He lastly stated that no injustice is done to the applicant and that the grievance application may be rejected.

In this case, the applicant's grievance is in respect of his energy bills for the months of May and June 2007. His energy bill

amount for the month of May as per bill dated 16.05.2007 was of Rs.1710/-. However, the applicant paid an amount of Rs.700/- as part payment on 31.07.2007. Thereafter, there is no payment made by the applicant of his energy consumption charges till the date of disconnection of his power supply i.e. till 10.10.2007. It is a matter of record that the applicant requested on 09.07.2007 for testing of his meter and accordingly, the applicant's meter was removed from the applicant's premises in July 2007 at final reading of 973 and sent to the meter testing unit at Khaparkheda. The applicant's meter was tested by the meter testing unit on 09.08.2007. A copy of the meter testing report dated 18.08.2007 has been produced on record by the non-applicant. This meter testing report clearly states that the applicant's meter was found to be alright during testing. Since the applicant's meter was found to be alright by the Testing Unit, the applicant's contention that excessive billing was done to him cannot sustain.

There is no reason to disbelieve the meter testing report and mere absence, if any, of the applicant at the time testing does not negate the meter testing result. Consequently, the billing already done to the applicant through a fault free meter needs no revision.

It is also seen that the applicant failed to make payment of his energy charges beyond 31.07.2007 and because of this, his power supply came to be disconnected on 10.10.2007.

As regards the applicant's complaint of illegal disconnection of his power supply, the applicant himself has admitted in his application dated 09.07.2007 addressed to the Jr. Engineer that he has received power supply disconnection notice. There is, therefore, no force

in the applicant's representative's argument that the applicant's power supply was disconnected without any notice to the applicant. His power supply was disconnected on 10.10.2007 that is much after expiration of the period of 15 days from the date of service of notice. Enough time was available to the applicant for making payment of arrears of energy charges before his power supply was disconnected He could have also paid this amount under protest. However, the applicant neglected to pay the amount. Thus, the non-applicant's action of disconnection of power supply on 10.10.2007 cannot be said to be improper and illegal.

The non-applicant has stated in his parawise report that the applicant did not make payment of meter testing charges. However, the applicant has produced on record payment receipt of Rs.100/- dated 11.07.2007 in this respect. Therefore, there is no need to recover the same again.

In the result, we hold that there is no substance in the grievance application.

The same, therefore, stands rejected.

Sd/-
(S.J. Bhargawa)
Member-Secretary

Sd/-
(S.D. Jahagirdar)
CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**