

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

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**Case No. CGRF(NZ)/25/2017**

Applicant : Shri Harichandra B. Damahe,  
User – Omprakash Damahe,  
At Post Nagardhan, Tah.Ramtek,  
Dist. Nagpur-441106.

Non-applicant : Nodal Officer,  
The Executive Engineer,  
O&M Division,MSEDCL,  
Mouda.

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Applicant :- In person.

Respondent by 1) Shri Jaiswal, EE, O&M Division,MSEDCL, Mouda  
2) Dy.E.E., Ramtek

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Quorum Present : 1) Shri Shivajirao S. Patil,  
Chairman.  
  
2) Shri N.V.Bansod  
Member  
  
3) Mrs. V.N.Parihar,  
Member, Secretary

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**ORDER PASSED ON 22.03.2017.**

1. The Applicant filed present grievance application before this Forum on dt. 20.02.2017 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Applicant's case in brief is that he received excessive bill of Rs. 400880/-. Due to non payment of bill, supply is disconnected in 11.01.2017. Therefore, bill may be revised and supply may be restored..

3. Non applicant MSEDCL denied the applicant's case by filling reply on dt. 10.03.2017 and again detail reply on dt. 18.03.2017. It is submitted that there is residential connection of the applicant. There was inspection of Flying Squad on 05.11.2016 at the premises of applicant and found that meter is properly working but billing is not as per actual reading and actual consumption. Therefore, it was directed to issue the bill as per meter reading. On electricity bill reading was written as 3496 but in fact reading in the meter was 42154. Therefore, bill of escaped billing was issued to the consumer as per consumption of electricity energy. Again on 11.11.2016 meter was tested in the Lab of MSEDCL and it is found OK.

After the billing of March,2014 there was no actual reading and there was average billing of 132 units per month since March,2014 to March,2016. Further more in April,2016 Agency of Meter Reading noted reading of 3496 instead of 34961. Therefore, bill of 26 months for only 40 units was issued to the consumer and billing was in the credit. As per the CPL thereafter also billing was not proper by contractual Billing Agency. The applicant never complained that he is not receiving electricity bill since April-2016.

In Oct. 2016 bill of actual reading 42267 was noted as per consumption and this bill was divided into 6 months and generated on the system.

Meter of the applicant was changed on 11.11.2016. House of the applicant was inspected. It is double storied big house and about 5 to 6 families are residing as tenant. Connected load was inspected and found that there was sufficient connected load i.e. TV-6, Fridge-5, Fan-8, Cooler-6, CPL-14, Bulb-4 and Motor Pump-1. This connected load is

above 5 KW. As per the meter reading there was only 953 units consumption for the period 11.11.2016 to 11.01.2017 though it was Winter. Consumption of the applicant is 500 units per month on the basis of connected load.

On the application of the applicant bill of Rs.3,85,680/- was issued for the period April,2012 to Oct. 2016. This bill was revised and credit of Rs. 1,55,250.33 was already deducted even than the applicant did not paid this bill. Therefore, notice u/s 56 of Electricity Act,2003 was duly served on the applicant and on expiry period of the notice, supply was disconnected temporarily. IGRC passed order and thereafter notice of Permanent Disconnection u/s 56 of Electricity Act,2003 was issued on 15.01.2017.

Contractual Agency is appointed by MSEDCL for meter reading. Said agency did not taken proper reading and therefore show cause notice was issued to Meter Reading Agency. Likewise charge sheet was also given to Billing Clerk and Asstt. Accountant of MSEDCL. Grievance application deserves to be dismissed

4. Forum heard arguments of both the side and perused record.

5. It is pertinent to note that according to applicant since May,2016 he was not receiving the bills but record shows that he never complained to MSEDCL in writing that he is not receiving bills. During the course of argument applicant admitted that he is residing with family. Besides this there are five tenant families are residing in 12 rooms. Each tenant is occupying 2 rooms each. Applicant also admitted that in possession of the tenant, tenants are utilizing 6 TV, 6 Fridge, 6 Coolers, 6 Fans, 14 Lights and motor pump. Record shows that even then since Dec.2013 actual reading was not taken by Meter Reading Agency and there was average billing of 132 units per month when there is such type of heavy consumption, it is impossible to have 132 units consumption per month. MSEDCL also produced photograph of house of applicant. This photograph shows that it

is a big well belted building having ground floor and 1<sup>st</sup> floor. On careful perusal of spot inspection report and CPL it appears that there is heavy consumption and even then everything is manipulated systematically and average bill of 132 units per month was issued due to mischief of contractual Billing Agency. It appears that applicant has joint his hands with Contractual Billing Agency and fraudulently suppressed consumed energy. MSEDCL produced Flying Squad Inspection Report dated 05.11.2016 and in this report meter reading is shown 42154 and meter was shown to be O.K. Meter testing report dt. 29.11.2016 is also produced but record it shows that meter is O.K. We have also carefully perused CPL since 12 March,2012. In the CPL there was average billing of 132 units per month since 14.03.2014. Furthermore CPL shows that actual reading was not taken intentionally with intention to have economical gain to the applicant.

We carefully observed bill of Oct.2016. It is a bill since March,2014 to Oct.2016 for accumulated consumption for Rs.5,57,479.78. This bill is revised by MSEDCL for the period April,2012 to Oct.2016 and necessary credit was given to the applicant and corrected bill of Rs.3,85,680/- was issued.

Even then applicant did not paid the bill. Record shows that since last number of years, applicant is not paying electricity bill and enjoying the supply free of cost without any payment. Ultimately MSEDCL issued notice u/s 56 of Electricity Act,2003 on dt. 23.12.2016 and it was received to the applicant on 24.12.2016. Said notice and acknowledgement is on record. Even then the applicant did not pay the bill therefore, MSEDCL has temporarily disconnected the supply after expiry period of the notice.

IGRC passed order dt. 31.01.2017. Thereafter again MSEDCL issued notice u/s 56 of Electricity Act 2003 on dt. 25.01.2017 to the applicant for permanent disconnection and it is duly served, even then applicant did not pay arrears amount which is 4,00,880/-

and therefore, MSEDCL has legally disconnected the supply. In our opinion disconnection is legal and proper.

Record shows that there was negligence and fault on the part of Contractual Meter Reading Agency viz. M/s Awanti Logistic, Nagpur. Therefore MSEDCL issued show cause notice to M/s Awanti Logistic, Nagpur dt. 01.12.2016. Furthermore MSEDCL has issued charge sheet against concerned clerk of account department name Shri Sagar Nandram Ahirkar dt. 14.03.2016. Not only this MSEDCL also issued charge sheet to Asstt.Accountant Shri Shyam Raghavji Sarate dt. 14.03.2017 to show cause as to why fine should not be recovered from him.

Considering the entire record in our opinion applicant joined hands with meter reading agency which is third party and systematically manipulated for average billing of 132 units per month. Meter was O.K. therefore entire consumption was accumulated in the meter and everything was exposed to the inspection of Flying Squad.

In our opinion bill issued by MSEDCL is legal and proper. Said bill is also revised and necessary credit is given to the applicant even then applicant did not pay the bill. Disconnection is after service of valid notice u/s 56 of Electricity Act 2003. Therefore disconnection is legal and proper.

6. Therefore we find no force in the present grievance application and application deserves to be dismissed.

7. Hence we proceed to pass the following order.

### **ORDER**

Grievance application is dismissed.

Sd/-  
(N.V.Bansod)  
**MEMBER**

sd/-  
(Mrs.V.N.Parihar)  
**MEMBER/SECRETARY**

sd/-  
(Shivajirao S. Patil),  
**CHAIRMAN**

