

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

Case No. CGRF(NZ)/67/2017

Applicant : Shri Chandrashekhar O. Dave,
Dahegaon, kalmeshwar Road,
Dist.Nagpur.

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

Applicant: - Shri Suhas Khandekar Applicant's representative

Non- applicant: - 1) Shri.D.N.Sali , EE, Saoner Dn, MSEDCL

2) Shri.S.S.Matte.Dy.Ex.Engineer,
Kalmeshwar Sub-dn, MSEDCL,

Quorum Present :- 1) Mrs. V.N.Parihar,
Member, Secretary
& I/C.Chairman.

2) Shri N.V.Bansod,
Member

ORDER PASSED ON 16.08.2017.

1. The applicant filed present grievance application before this Forum on 15.06.2017 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressed Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Non applicant, denied applicant's case by filing reply on dated 24.07.2017 & 7.8.2017

3. Forum heard arguments of both the sides and perused record.

4. Brief history of the case is an applicant Shri. Chandrashekhar .O. Dave, Dahegaon, Kalmeshwar Road, Dist. Nagpur, bearing consumer no.419516690128 is a LT category commercial consumer. In the month of May 2016, he was given an energy Bill of 2040 units which in his opinion is excessive as his per day consumption is in the range of 30-35 units. Moreover his load pattern is also consistent since long with no variation. He requested A.E. Kalmeshwar to provide MRI data of the meter installed at their premises for the meter readings taken for the period from April16 to June 2016, as he suspected high consumption in the month of May 2015. But instead of furnishing MRI Data, his meter was replaced by non-applicant. Failing to get MRI data from A.E Kalmeshwar, he again requested EE.Saoner for the same, but did not get the same .Hence he strongly felt that meter reading might have jumped and owing to this he has been charged excessively in the month of May-2016.Hence filed grievance application with IGRC on dt.29.08.2016 for the excessive units charged to him due to incorrect reading recorded by Meter. But hearing was not held by IGRC. Subsequently again on dt.17.11.2016 requested IGRC for hearing. But again hearing was not held by IGRC. Hence Aggrieved by this, Applicant filed his grievance application with this forum for the necessary relief as follows:-

a) Revision of Bill for the month of June-16 on the basis of average bills for the preceding 11 Months.

b) Excess amount recovered to be adjusted in subsequent billing.

c) Amount is refunded with Interest at bank rate with effect from June-16 till the date of adjustment.

d) For unnecessary litigation and harassment a compensation of Rs.2000/- to be paid.

5. Non-applicant In his reply dated 24-07-2017 denied the contention of the applicant and stated that all Energy bills issued are as per meter reading only. On receipt of applicant's complaint, Meter testing of disputed meter no. 15360155, make L&T was carried out at MSEDCL laboratory on dt 10.07.2017 and it was found O.K i.e Meter Error found within permissible limit. So far as MRI data is concerned, same could not be retrieved for the period of March-15 to June-15 due to technical reason, however for the period of July-15 to Dec-15 was retrieved and furnished to the applicant. The electricity supply is utilized by applicant for running Dhaba for 17-18 Hrs. On applicant's request another meter in series with existing meter was connected, and consumption recorded by both the meter found to be the same. It was further submitted that, from the CPL, average consumption for March-June16 is 1320 whereas average the consumption of the corresponding month of last year i.e. period from March-June15 is 1450 units, with a difference of 130 units. The units consumed in the month of Sept-16 are 1469 and units consumed in the corresponding month of Sept-15 are 1554 units with a difference of 85 units. Due to such a narrow difference in units, Non-applicant in his reply therefore prayed to the forum to dismiss the grievance application considering the fact that bills issued by them is as per the reading only with meter accuracy within limit.

6. At the time of hearing on 10.07.2017,during the argument and discussion, Applicant's representative reiterated the same facts as stated in their application that consumption recorded by the disputed meter does not commensurate with their

actual usage of power. They further argued that even meter reading taken by meter reader for the energy bills for the month of sept-16 and Oct-16 does not match with the reading taken by them separately. This fact was brought to the notice of Non-applicant. The Non-applicant accepted the same and bills were revised .Hence they suspected that meter might have shoot up during the month of May16 and therefore their energy bill of May-16 for the 2040 units issued is incorrect. He further clarified that he had no dispute regarding energy bill for the month of June-16 as per their written grievance.

7. During argument, Applicant insisted and requested the forum for MRI data of the disputed meter for the month of May16.Hence, forum directed Non-applicant to furnish MRI data of disputed meter, the Testing report and CPL from May12.To get MRI data from L&T co., at Mysore, State karnataka, Non-applicant sought adjournment. As per mutual consent of both the parties hearing was adjourned till 07.08.2017.Applicant vide his email dt 07.08.2017 sought adjournment for one week due to his illness. Accordingly, as per applicant's convenience hearing was fixed for hearing on 16th Aug 2017.

8. On dt.16.08.2017, during the hearing Non-applicant reiterated the written facts submitted by them and they further submitted that, as per applicant's request Meter bearing no.15360155, L&T make was sent to Mysore, karnataka State vide their letter dt.20.07.2017 which was received by the company on dt.26.07.2017.As per company' report, Load survey data and consumption data cannot be retrieved beyond 45 days and 6 months respectively. Hence MRI data for the Month of May-16 cannot be given. However they furnished the company's report of MRI Data for

the period 01.02.2017 to 1.07.2017 and faulty meter analysis report,.They further submitted that, as per analysis of company, neutral's primary cable burnt and melted, suspected due to external connection issue.

9. The non-applicant also submitted that during their spot inspection in the month of May-16, following the receipt of complaint of excessive recording of consumption, they noticed very pertinent fact about the faulty usage of electricity by the applicant. Applicant used to switch off their refrigerators supply while closing the Dhaba for 5-6 hrs. At night resulting in increased temperature of refrigerators. Hence to maintain cooling temperature of refrigerators on subsequent day, the more power is required, resulting in increased consumption. Hence they provide guidelines for proper utilization of energy of by way of not switching off the refrigerators at night hours. The applicant seems to have followed the same because applicant's consumption lowers down considerably after the month of July 16. Regarding frequent replacement of meters in the month of May-13, Oct-14, Oct-15, July-17, they rely on company's analysis report and cast responsibility squarely on the applicant.

10. Hence Non-applicant stated that, as per aforesaid analysis, meter accuracy being within limit, & bills issued by them are as per the reading only, grievance application deserves to be rejected. Hence, prayed to the forum to dismiss the same.

11. After hearing argument put forth by both side and perusal of the record, It is seen by the forum that disputed meter is tested in the Meter Testing Laboratory of MSEDCL and found to be OK. As meter readings taken by meter reader and shown

in CPL commensurate with the MRI data submitted by Non-applicant for the July-15 to Dec 15 and MRI data retrieved by the L.&T. company for the period Feb-2017 – July-17, It can be concluded that readings are correctly taken.

12. Secondly, forum rely on Non-applicant's contention that, the faulty usage of electricity such as switching of refrigerators for 5-6 hrs at night leads to leads to increased consumption. Because the moment applicant started using supply as per guidelines provided by Non-applicant downward trend in consumption from July 16 onward is seen and confirmed by CPL record. After careful perusal of CPL, it is clearly seen that during peak summer season's month such as May in the year 2013, 2015, 2016, consumption pattern is almost similar i.e. 2100, 1834, 2040 units resp. whereas there is considerable reduction in consumption in May-2017 which is 1157. This is due to the fact that as per guidelines given by Non-applicant, applicant improved their way of usage of supply. It is therefore clear to the forum that Applicant's actual usage of electrical supply is responsible for the said metered consumption.

13. It is also seen by the forum that, meter in series was installed by the applicant to check the correctness of disputed meter and both the meter's reading tallies with each other

14. It is therefore clear to the forum that units/consumption charged is as per readings record by the meter. Considering the aforesaid facts and other facts such as, Meter accuracy is within limit, energy bills are issued as per meter reading only, we hold that the consumption utilized by applicant is correctly recorded by the meter. Therefore the claim of the applicant, to revise energy bill of May-16

Cannot be accepted .Accordingly other claims also deserve to be dismissed. The Grievance application deserves to be dismissed.

15. Before reaching to the final order, it is necessary to decide the matter within two months from the date of filing of the application. Applicant filed application on 15-06-2017. Therefore it was necessary to dispose of the application on or before 14-8-2017. Forum heard the argument on 10-07-2017. The Non-applicant requested for adjournment till dt.07.06.17 for submission of MRI data from L&T co.at Mysore, State Karnataka as per forum's directives. Applicant's representative on dt.7.08.2017 vide his Email sought adjournment till one week due to his own illness. Hence, 15.08.17 being holiday, hearing was adjourned till 16.08.2017.after one week. Due to both this reason; there is delay in deciding the matter.

16. Thus we proceed to pass the following order.

ORDER

1) Grievance application is dismissed.

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

Sd/-
(Mrs.**V.N.Parihar**),
MEMBER/SECRETARY
& I/C. CHAIRMAN

