



**CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L., PUNE ZONE, PUNE**

Case No.07/2015

Date of Grievance : 24.02.2015

Date of Order : 22.04.2015

In the matter of exorbitant billing.

Mr.Shivaji R.Nade,
S.No.78, Sangamwadi, Khadaki,
Near Major R.R.Rane, High School,
Pune-411003.

Complainant

(Herein after referred to as Consumer)

Versus

Executive Engineer,
M.S.E.D.C.L.,
Nagarroad Division,
Pune.

Respondent

(Herein after referred to as Licensee)

Quorum

Chair person
Member Secretary
Member

Mr. S.N.Shelke
Mr. H.P.Biranwar
Mr.S.S.Pathak

Appearance

For Consumer

Mr.Shivaji R.Nade

For Respondent

Mr.G.M.Kadale, Ex.Engineer
Nagarroad Division.
Mr.S.G.Ghodake, Addl. Ex. Engr.
Vishrantwadi S/dn.

- 1) The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & E.O.) Regulations 2006.
- 2) Being aggrieved and dissatisfied by the order dated 12.11.2014 passed by IGRC Rastapeth Urban Circle, Pune, the consumer above named prefers this grievance application on the following amongst other grounds.
- 3) The papers containing the above grievance were sent by the Forum to the Executive Engineer, M.S.E.D.C.L., Nagarroad Division, Pune vide letter no.

EE/CGRF/PZ/Notice/07 of 2015/79 dtd.25.02.2015. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 12.03.2015.

- 4) We heard both sides at length, gone through the contentions of the consumer and reply of the respondent and the documents placed on record by the parties. On its basis following factual aspects were disclosed.
- i) 160230805986 is standing in the name of Shivaji Ramchandra Nade, Category -Residential connected on 5.8.2004.
 - ii) From 2004 to June-2014 there was no any complaint about meter for billing from the said consumer.
 - iii) In the month of July-2014 consumer suddenly received exorbitant bill of Rs.673.07 (including arrears Rs.900/-).
 - iv) The consumer made complaint to the Licensee (Vishrantwadi Sub/dn.) on 11.8.2014 about exorbitant billing in the month of July-2014.
 - v) The Licensee asked the consumer to get tested the said meter. Accordingly the consumer deposited testing fees of meter of Rs.150/- on 13.8.2014.
 - vi) The Licensee did not test the said meter within stipulated time nor issued any revised bill. Therefore consumer approached to IGRC Rastapeth, Pune with grievance on 18.9.2014.
 - vii) IGRC decided the grievance of the consumer on 12.11.2014 directing the licensee to get tested the consumers meter & as per testing report to issue revised bill to the consumer.
 - viii) The Licensee got tested meter of the consumer bearing Sr.No.109903 Elmire on 7.3.2015.
 - ix) The Licensee replaced the said meter by installing new meter bearing Sr.No.809486 on 5.3.2015.
 - x) The consumer being dissatisfied with the impugned order passed by IGRC approach to the Forum with the said grievance on 24.2.2015.
- 5) Consumer Mr. Shivaji Nade submitted that the Licensee used to issue bills of consumption approximately 40-50 units per month but in the month of July-2014 he suddenly received the bill of 131 units, therefore he made

complaint to the Licensee about said exorbitant billing on 11.8.2014. However, the Licensee did not correct the bill but asked him to get tested the said meter. Therefore he deposited meter testing charges of Rs.150/- on 13.8.2014. However the Licensee did not test the said meter, thereafter he approached to IGRC, Rastapeth with the grievance of exorbitant billing. The IGRC decide the grievance on 12.11.2014 directing Licensee to get tested the said meter & to issue the revised bills as per testing report. However, in spite of the decision of IGRC the Licensee neither tested the said meter nor issued the revised bill. Therefore he approached to this Forum, he submitted that the billing question is exorbitant therefore it is to be corrected and revised bill be issue.

6. On the other hand, the Licensee was represented by Mr.Kadale, Ex. Engineer, Nagar Road Dn. & Mr. S.G.Ghodake, Addl.Ex.Engineer, Vishrantwadi S/dn. They submitted that the consumer bearing no.160230805986 was connected on 5.8.2004 vide meter Sr.No.109903. The consumer made complaint of exorbitant bill in the month of July-2014 on 19.8.2014. Accordingly the said meter was tested on 7.3.2015 in testing unit after payment of meter testing charges of Rs.150/- on 16.08.2014. The new meter vide Sr.No.809486 has been installed in place of old meter at the premises of the consumer. Thereafter the meter is tested by Jr.Engineer, MTU on dt.7.3.2015 & reported that meter is normal and remark with " meter error within limit ". Therefore the bill for the month of June-2014 issued by the Licensee was correct & grievance may be rejected.
7. We have perused the CPL record of the consumer & also gone through the meter testing report dated 7.3.2015 in respect of meter Sr.No.109903. The Licensee got tested the said meter in its meter testing unit at Nagarroad Dn. The testing report discloses that during the testing the Licensee tested the said meter on different percentage of load & it was found that, "the meter error within limit".
8. The consumer is not satisfied with the said testing report dtd. 7.3.2015. According to him the said meter was not tested in his presence & moreover he

was not aware of the such testing. He further submitted that there was delay in testing the said meter. However, the consumer did not insist for testing the said meter through Government Laboratory or any outside laboratory.

During the course of hearing the consumer was not ready to deposit testing charges for testing the meter through outside authorized testing lab.

Therefore we have to accept the said testing report i.e. dated 7.3.2015 submitted by the Licensee. As per testing report, meter error within limit.

Therefore it is not a case of defective meter as per MERC supply code Regulations 15.4.1. However the consumer complaint is mainly for excess billing for the period of July-2014 to Jan.2015. Same meter was installed on

5.8.2004 and from the date of connection i.e. from 5.8.2004 and still same

meter is available. Further from Feb.2015 & onwards there is no billing complaint of consumer. As per consumption recorded by the same meter

i.e.right from date of connection to the date of replacement of new meter is correct. Therefore the monthly billing done by the Licensee as per

consumption recorded by the meter is found correct. Therefore whatever energy recorded by the meter and consumed by the applicant cannot be

doubted only at the instance of the said consumer. In other words the electric supply utilized by the consumer cannot be restricted by the Licensee.

Therefore whatever energy consumed month to month by the consumer for which he has to pay the necessary charges of energy. Since percentage of error is within a permissible limit which indicates there is no defect in the meter.

Therefore we do not found any substance in the grievance of the consumer about exorbitant billing & hence grievance is liable to be rejected.

9. Now fact remains is the consumer deposited testing charges of the meter on 13.8.2014 of Rs.150/-, however his meter was not tested within stipulated time. IGRC directed the Licensee to get tested meter & to issue revised bill as per testing report vide impugned order dated 12.11.2014. However inspite of the said direction the concerned authority did not test the said meter immediately but got it tested after longer period i.e. on 7.3.2015. This fact clearly shows that there was inordinate delay, i.e. for more than six months

in testing of the meter. However, it is pertinent to mention that the consumer has not sought any compensation for such delay. Therefore no any compensation needs to be granted to the consumer as per MERC (SOP & other conditions of supply) Regulations, 2014. But for such inordinate delay, the Licensee may take suitable action against the defaulting employees.

10. Lastly, we passed the following order.

ORDER

1. Grievance of the consumer stands rejected with no order as to cost.
2. The Licensee to take suitable action against the defaulting employee for delay to get tested the said meter.
3. The Licensee to report the compliance within 45 days from the date of receipt of this order.

Delivered on: -22.04.2015

H.P.Biranwar
Member/Secretary
CGRF:PZ:PUNE

Suryakant Pathak
Member
CGRF:PZ:PUNE

S.N.Shelke
Chairperson
CGRF:PZ:PUNE