

Before Maharashtra State Electricity Distribution Co. Limited Consumer Grievances Redressal Forum, Pune Zone, 925, Kasabapeth Building, 11nd flr. Pune-11

Case No. 06 of 2012

Date: 03/03/2012

Smt. V.N. Sasane,

- Complainant

V/S

M.S.E.D.C.L. Nagarroad Division

- Opponent

Quorum

Chair Person

Mr. S.D.Madake

Member/Secretary

Mr. L.G.Sagajkar

Member

Mr. Suryakant Pathak

Heard both sides perused the documents.

The electricity supply of the consumer is disconnected. The consumer has given undertaking to pay current bills on 5th March-2012. The consumer is willing to pay bill by installments. Hence opponent is directed to reconnect the supply of the electricity immediately. The opponent shall not disconnect the electricity supply till final decision of the case.

Sign:

Mr.L.G.Sagajkar
Member/ Secretary

Mr.Suryakant Pathak
Member

Mr. S.D.Madake
Chair Person

Date:03/03/2012

**Before Maharashtra State Electricity Distribution Co. Limited
Consumer Grievances Redressal Forum, Pune Zone,
925, Kasabapeth Building, IInd flr. Pune-11**

Case No.06/2012

Date: 21/05/2012

**In the matter of
Smt.V.N.Sasane,**

- Complainant

V/S

M.S.E.D.C.L. Nagarroad Division

- Opponent

Quorum

Chair Person	Shri.S.D.Madake
Member/Secretary,	Shri.L.G.Sagajkar
Member	Shri.Suryakant Pathak

- 1) The complaint is filed by Smt.V.N.Sasane R/o. Mulik Vasti, Ramwadi Nagarroad Pune The complainant is having single phase connection with Con.No. 170016907866 of Vadgaonsheri Sub Division.
- 2) The main grievance is correction of excessive bill. The bills were not issued from the year 2008. In Jan-2011 bills issued for Rs.37,000/- and in Feb-2011 bills issued for Rs.1,80,000/-
- 3) The complainant approached to Consumer Grievance Redressal Forum (CGRF) with interim relief application as electric supply was disconnected without notice. The CGRF by order dt.03/03/2012 directed the respondent to reconnect the supply immediately.
- 4) The respondent submitted say that from July 2005 the consumer was not billed up to Jan-2011. But in Jan & Feb-2011 reading were not taken and in March-2011 bill was issued for 18,602 units amounting to

Rs.1,88,385 which was bifurcated for 68 months and issued bill of Rs.90,788/- in Sept-2011.

- 5) On the date of hearing on behalf of the petitioner Shri. Chandrakant Sasane and his representative Mr.Kulkarni were present. They contended that as per Consumer Personal Ledger (CPL) the reading was 11,936 in Jan-2011 and 30,538 in March-2011. It is not possible for such a huge consumption of 18,602 units within a period of 2 months. Also in meter testing report the meter No. is not tallied and meter shown as a stop.
- 6) On behalf of respondent Mr. Bansode, A.A. was present he told that billing was not done from July-2005 to March-2011 and admitted mistake of wrong number from testing report and incorrect reading shown on CPL in the month of Jan-2011.
- 7) In view of above arguments the forum directed respondent to test the meter in front of consumer and submit report on or before 11/04/2012
- 8) The respondent has not submitted up to 16/04/2012 however complainant submitted a letter dt.11/04/2011 that the said meter was not available with respondent hence not tested in presence of consumer. The complainant requested that as meter was not available and testing report shows meter as a stop therefore as per MERC Reg. 15.4.1 bill shall be issued for 3 months only.
- 9) The new meter was installed on 24//11/2011. The consumption recorded on new meter as per verification report dt.28/12/2011 is 290 units which is consumption of 34 days hence consumption for 30 days comes to 255 units. The forum checked the Consumer Personal Ledger (CPL), meter testing report and it is noticed that CPL is not maintained and required testing report has not been submitted after reminders not

submitted relevant documents. The period of consumption of new meter is very less. Hence it is directed to take at least average of six months of new meter for calculation of monthly consumption. The regulation 15.4.1 is not applicable to this case as it is un billed case and bills were not issued.

- 10) In our opinion, sub section (2) of section 56 of Indian Electricity Act-2003 only provide a limitations that the recourse to recovery by cutting of electric supply is limited for period of two years from the date when such sum became due. As long as sum is due which is within two yeas of the demand and can be recovered by the licensee or the generating company can exercise its power of coercive process of recovery by cutting of electricity supply. This is special mechanism provided to enable licensee or the generating company to recover its due expeditiously. The electricity Act has provided that mechanism for improvement of electricity supply and enable to licensee or generating company to recover its dues. Apart from the above mechanism independently it can make recovery by way of suit. In the present case MSEDCL has disconnected the electricity supply and therefore it is necessary to restrict the recovery for two years preceding date of disconnection. Hence following order.

ORDER

- 1) The respondent is directed to revise the bill for amount holding average consumption of six month of new meter i.e. 24/12/2011 to 24/05/2012 for total period of two years preceding the date of disconnection.
- 2) Respondent is directed to report compliance within 30 days from the date of this order.

L.G.Sagajkar,
Member/Secretary

Suryakant Pathak
Member

S.D.Madake
Chair Person

Date: 21/05/2012

