

**CONSUMER GRIEVANCE REDRESSAL FORUM,**  
**AKOLA ZONE, AKOLA.**

*“ Vidyut Bhavan ” Ratanlal Plot, Akola. Tel No 0724.2434475*

**ORDER.**

**Dt. 28/06/2017**

**Complaint No. :- 24/ 2017**

**In the matter of Billing dispute, reading bill not issued , Bill correction SOP**  
**Compensation and installment for bill payment.**

**Quorum**

**Shri. R.A. Ramteke ,Member-Secretary**

**Shri. D.M.Deshpande-Member (CPO)**

Shri Balkrishna Parashram Tade,  
At & Po. Eklara ( Banoda)  
Tq. Sangrampur Distt. Buldhana.  
Con.No. Ag- 290060002540

:- Complainant

....Vrs.....

Ex. Engineer MSEDCL,  
O&M Khamgaon Division, Khamgaon.

:- Respondent

**Appearances: -**

Complainant Representative

:- Shri. Deepak Tade.

Respondent Representative

:- Shri. S.B. Nawalkar Dy. Ex.Engineer.

1. Being aggrieved by the decision of IGRC Buldhana issued vide SE/BLD/1219 Dt. 19.04.2017, the complainant Shri Balkrishna Parashram Tade approached to this forum with grievance under section 6.4 of MERC (CGRF Ombudsman ) regulation 2006.

2. Complainant's case in brief is that N.A.MSEDCL have released metered electric connection to Ag. pump of 5 HP at Gut No. 870 of Eklara Tq.

Sangrampur Distt. Buldhana on 04.11.2011 and thus complainant is consumer of N.A.MSEDCL from 04.11.2011. N.A.MSEDCL were required to issue quarterly bill towards energy consumption, which has not been issued and hence complaint was lodged with Assistant Engineer MSEDCL Sangrampur on 29.10.2013. Since N.A.MSEDCL did not take any action, reminder complaint was lodged on 10.02.2017, thereafter according to complainant incorrect energy bill was issued on 05.03.2017 for accumulated consumption without showing any reading. According to complainant photo reading was not displayed and bill included consumption for the period when supply was not available due to damaged distribution box. According to complainant it is binding as per Circular No. 13685 dt. 06.05.2005 for N.A. MSEDCL to issue photo reading energy bills regularly. According to complainant N.A. MSEDCL have not adjusted provisional bill Rs. 3000 paid on 20.03.2015 while issuing first bill on 05.03.2017. It is alleged that energy bill dtd. 05.03.2017, included excess units of 2904 without actual consumption. Despite giving application for correction on 06.03.2017 N.A. MSEDCL again issued bill dated 05.04.2017 without any correction or photo reading. According to complainant N.A. MSEDCL are deliberately issuing excessive energy bills for claiming subsidy from Government and thereby defying Government and other consumers of MSEDCL by way of cross subsidy, complainant prays for correction of bills, issue of reading bill, and SOP compensation, complainant annexed with complaint document such as payment of receipt for Rs. 6000/- application dtd. 29.10.2013, 13.02.2017, and 06.03.2017, copy of paid provisional bill and bill dated 05.03.2017 with IGRC order copy.

3. Belated reply came to be filed by N.A.MSEDCL on 15.06.2017 at the time of hearing. According to N.A. complaint dated 29.10.2013 received by post without mentioning consumer number or without enclosing the

payment receipts, which is the cause for delay in issuing correct bill to the complainant. According to N.A. though complainant in his complaint has mentioned about non-receipt of energy bill for the period 29.10.2013 to 05.03.2017, he has paid Rs. 3000/- towards energy bill against provisional energy bill dated 20.03.2015. According to N.A. complainant deliberately submitted complaint dated 13.02.2017 for non receipt of bill without mentioning consumer member against which reading bill dated 27.02.2017 was issued . According to N.A, against complaint dated 06.03.2017 corrected energy bill was sent on 05.04.2017. N.A. MSEDCL opposed SOP compensation as according to N.A. complainant himself is responsible for not furnishing proper information to MSEDCL. N.A.MSEDCL annexed with reply, copy of complaint dated 29.10.2013, MSEDCL letter dated 27.02.2017 along with bill dated 05.04.2017 and bill dated 20.03.2015.

4. Heard Shri Balkrishna Parashram Tade learned representative for complainant and Shri S.B.Nawalkar Dy.E.E. Sangrampur learned representative for N.A. MSEDCL. Complainant's representative urged that N.A. MSEDCL after continuous follow up and written complaint on record issued first energy bill towards consumption of Electricity on 20.03.2015 for Rs. 3000/- that too provisional without mentioning initial and correct reading and without photo. Complainant representative urged that after submitting complaint on 05.03.2017 bill dated 18 Feb-2017 for Rs.13800/- issued by N.A. with incorrect previous reading and current reading. Complainant urged that current reading as on **05.03.2017 is 11020**. Complainant urged that bill dated 18 Feb-2017 and manually corrected for Rs. 10870/- on 05.04.2017 is also incorrect. Complainant's representative urged to revise the bill from date of connection with adjustment at Rs. 3000/- paid against provisional bill, Complainant's

representative prayed by SOP compensation with revision of bill but submitted to have claimed SOP on 20.03.2017.

5. Shri S.B.Nawalkar Dy.E.E. Sangrampur for N.A.MSEDCL urged that it is not true that energy bills are not issued till 2017 but first provisional bill was issued by N.A. in March-2015 for Rs.3000/- and paid by complainant. Forum by order asked N.A. MSEDCL representative to file on record C.P.L. from date of connection to April-2017, Spot inspection report for current reading as on the date of inspection, New Service Connection report.

6. N.A. MSEDCL as per order from Forum have carried out spot inspection at complainant's premises in presence of complainant and submitted report to Forum on 23.06.2017. N.A. MSEDCL submitted copy of CPL from March-15 to March-2017 and filed letter dated 23.06.2017 on record stating the date of connection as 04.11.2011 and did not file NSC report as not tracable in office.

7. Forum have gone through the complaint on record with enclosures, reply filed by N.A. with revision of bill and documents filed as per the orders of the Forum on 14.06.2017. Forum is of the view that there is substance in the complaint filed on record that regular energy bills were not issued to complainant up to March-2015 except provisional bill for Rs. 3000/- without any details of current and previous reading. Despite order by Forum to decide the complaint on facts, N.A. MSEDCL failed to submit C.P.L. from 04.11.2011 and New Service Connection report. From the CPL filed on record it is fact that new connection report was fed to system in March-2015 and that too incorrectly showing consumption of 12279 units for Rs. 16525.49 showing Rs. 3000/- as arrears columns which according to Forum is absurd and incorrect because previous reading is shown as 1. Again in June-15 from CPL on

record previous reading shown as 1 and current reading as 1876. From the facts brought on record Forum is of the view that all subsequent reading recorded in C.P.L. are not actual readings as on the date which is confirmed from the documents submitted on record on 23.06.2017 on the order of Forum “ the spot inspection report ” wherein current reading as on **23.06.2017** is recorded as **11874** while C.P.L. showing current reading as on Sept-2016 as 12271. Forum is of the view that all the bills issued to complainant for Feb-2017 and its correction manually on 05.04.2017 are incorrect and Forum is convinced that complaint is true and bill revision is to be done from the date of connection on 04.11.2011 to June-2017 with previous reading as 1 and final reading 11874 as on the end of quarter June-2017 without charging on DPC interest or interest on arrears with adjustment of Rs. 3000/- paid by complainant against provisional bill. Complainant is also entitled for SOP for not issuing correct reading bill since Nov-2011 as per SOP regulation 2005 read with 2014 but since it is claimed according to complainant on 20.03.2017 SOP compensation is admissible from 20.01.2017 till revision of bill before 20.07.2017 for 25 weeks at Rs.100 per week. Complainant is entitled for part payment in 4 installment to be paid over a period 10 months as demanded. With these observations Forum proceeds to pass following unanimous order.

**// ORDER //**

1. That the Complaint No.24/2017 is hereby partly allowed.
2. The N.A. MSEDCL is directed to set aside all the energy bills from date of connection including revision on record and directed to carryout bill revision from date of connection to June-2017 taking previous reading as 1 on 04.11.2011 and final reading 11874 on 30.06.2017, with adjustment of Rs.3000/- paid by complainant in March-2015 without DPC or interest, applying MERC Tariff orders effective from time to time.
- 3 The N.A. MSEDCL is directed to issue corrected bill before 15.07.2017 and thereafter quarterly reading bills should be issued regularly.

4. The N.A. MSEDCL to give liberty to complainant to pay revision bill amount as above in four installment over a period of 10 month without charging DPC or interest.
5. The N.A. MSEDCL is directed to pay SOP compensation for not issuing reading bill for 25 weeks at Rs. 100/- per week, amounting to Rs. 2500/- and amount be adjusted in revision bill.
6. The N.A. to recover the amount of SOP Compensation , which it requires to pay to the complainant in pursuance of this order, from the concerned staff because of whose negligent/lethargic attitude monitory liability has arisen against the N.A. as per the direction of the Hon. The Supreme Court of India in the matter of M.K.Gupta Vrs Lucknow Development Authority, reported in 1994(i) SCC page 243, after due enquiry.
7. No order as to the cost.
8. The N.A. MSEDCL is directed to submit the compliance report to the Forum within period of one month of this order.

Sd/-  
Member/Secretary

Sd/-  
Member (CPO)

Contact details of Electricity Ombudsman appointed by MERC (CGRF&EO) Regulations 2006 under Regulation 10:

THE ELECTRICITY OMBUDSMAN,  
Office of Electricity Ombudsman (Nagpur)  
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni, Nagpur-440 013.  
Phone : 0712-2596670

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**No.CGRF /AKZ/ AKL/ 117**

**Dt. :- 28.06.2017**

**TO,**  
The Nodal Officer/Executive Engineer  
Khamgaon Division, MSEDCL, Khamgaon.

The order passed on 28/06/2017 in the Complaint No. 24/2017, is enclosed herewith for further compliance and necessary action.

**Secretary,**  
Consumer Grievance Redressal Forum,  
MSEDCL, Akola Zone, Akola.

**Copy f.w.c. to :-**

1. Superintending Engineer O&M Circle, MSEDCL, Buldhana.
2. Shri Balkrishna Parashram Tade, At & Po. Eklara ( Banoda) Tq. Sangrampur Distt. Buldhana.