

CONSUMER GRIEVANCE REDRESSAL FORUM,
AKOLA ZONE, AKOLA.

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

ORDER.

Dt. 14/03/2017

Complaint No.5/2017

In the matter of grievance pertaining to billing dispute & refund of excess energy bills paid to MESDCL.

Quorum

Shri. R.A. Ramteke ,Member-Secretary
Shri. D.M.Deshpande-Member (CPO)

Dr. Chandrakant Shamrao Sangitrao,
Shriram A-7, Sudhir Colony , Akola :- Complainant
Consumer No.R.L.310040787495

.....Vrs.....

Executive Engineer, Urban Division,
MSEDCL, Akola :- Respondent.

Appearances :-

Complainant :- Dr. Chandrakant Shamrao Sangitrao.
Non Applicant :- Shri G.T.Sorte, Add. E. E. Urban S/Dn.3

1. On being aggrieved by the decision of IGRC Akola issued vide order dtd. 19.11.2016 the complainant Dr. Chandrakat Shamrao Sangitrao approached this forum for resolving the grievance. Complainant's case in brief is that complainant is residential consumer of N.A. MSEDCL having connection No.310040787495. According to complainant N.A. MSEDCL issued excessive energy bills from the month of May-2016 to Oct-2016 which is the cause of grievance and first reported to Assistant Engineer MSEDCL on 11.08.2016 with copy to Executive Engineer Urban Division Akola. As no action is being taken by MSEDCL authorities, complainant approached IGRC Akola on 02.09.2016. According to complainant N.A. have tested the meter on

15.11.2016 by switching on complete load for one hour but did not give any report to complainant or have not taken complainant's signature on any paper and have not replaced the meter. According to complainant the above facts were brought first time to his notice by MSEDCL, when IGRC order is received. According to complainant the meter is replaced on 20.11.2016 without giving intimation of replacement or its reason for replacement. According to complainant even after instruction from Executive Engineer Urban Division Akola on dtd. 06.01.2017 when meeting was arranged with consumer representative, to intimate the reason of replacement to consumer, no action is taken by N.A. Complainant further prayed for setting aside bill for May-2016 to Oct-2016 & requested to issue bill as per average consumption and refund the excess amount paid to MSEDCL. Complainant annexed copies of energy bill from May-2016 to Dec-2016 with the complaint.

2. Reply came to be filed by MSEDCL on 13.02.2017 after 15 days notice. N.A. in their reply stated to have checked the energy bills from May-16 to Aug-16 and found consumption to be 569,563,523 and 444 kwh units which is correct. According to N.A. meter is tested and found correct and hence requested forum to dismiss the complaint. Alongwith reply documents such as CPL for above consumer, meter testing report and IGRC order are filed on record.

3. Hearing was scheduled on 08.03.2017. N.A. representative as well as complainant in person were present. Dr. Sangitrao during hearing brought on record that meter was recording excessive units than consumed as only two persons are residing in the premises and mostly they are out of headquarter for 10 to 15 days in a month. Further contention of complainant was that they are using electricity very economically and 5 No 7 watt bulb are being used. Complainant has brought on record that on 15.11.2016 my meter is checked by putting on all the load but nothing is intimated to me. According to Complainant N.A. official who had come on 15.11.2016 have informed about testing of meter at laboratory but no such tests have been carried out. Notice for testing of meter is not received by complainant and meter is not tested

in the presence of complainant. Complainant has brought to the notice of forum that no enclosures were enclosed by N.A. MSEDCL alongwith reply which was submitted to him. Complainant has further requested to forum about testing of meter as per provision of law and give relief as sought for.

4. N.A. representative during hearing only confirm that meter is tested at site on 07.11.2016 and found to be correct and hence bills issued are correct. During hearing Forum asked N.A. to explain the test report but N.A. representative could not explain how 0.70 kwh for 10 pulse comes to 3.12% error in dial test when meter constant as per report is 3200 per KWH. N.A.'s representative could not explain the remarks on report as "M.D. Abnormal", as shown constant on five occasions as 7.2 kw when according to N.A., Acucheck testing was carried out on site by using consumer load (complete) as 3.2 Kw. N.A. representative preferred to remain silent on query of forum whether testing of meter is carried out as per CEA regulation 2006 and Indian Electricity rules 1956". All the while N.A.'s representative was giving stress on correctness of meter testing report checked at site and report prepared in office on later date as correct and pressed for dismissal of complaint.

5. On perusal of complaint with documents, N.A.'s reply and arguments of N.A. as well as complainant on 08.03.2017 and documents on record. Forum find substance in the complaint. MERC has specified Electricity supply code and other condition of supply Regulation-2005 to provide for recovery of electricity charges , billing of electricity charges in case of defective or slow/fast meter and its testing. As per CEA regulation 2006 meter has to be tested in laboratory and as per supply code consumer meter should be tested in presence of consumer after due notice. N.A. MSEDCL violated the CEA regulation 2006 and also supply code regulation -2005. Even if recitals of meter testing report on record tested on site by " Acucheck" are considered. Forum comes to the conclusion that meter is behaving abnormally as maximum M.D. recorded 7.2 Kw identical on five different month when total connected load never exceeded 3.2 Kw as per N.A. Forum finds substance in the complaint that excessive bills from May-2016 till replacement of meter needs to be set

aside and revise bills as per average of last 12 months preceding May-2016 to be issued and excess payment by complainant be refunded as per the provisions of supply code regulation 2005, proviso 15.4.1 With these observations. Forum proceeds to pass following unanimous order.

// ORDER //

1. That the Complaint No.05/2017 is hereby partly allowed. The N.A. MSEDCL is directed to set aside the energy bills issued to complainant from May 16 to Oct-2016 and directed to issue revise bills as per average of last 12 month as 130 units per month and excess payment amount paid by complainant be adjusted in forthcoming bills.
2. The N.A is directed not to charge DPC or interest on revise bill.
3. That the compliance report be submitted within period of one month from 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

No.CGRF /AKZ/ AKL/ 46

Dt. 14 /03/2017

To,
The Nodal Officer,
The Executive Engineer MSEDCL,
Urban Division, **Akola.**

The order passed on 14/03/2017 in the Complaint No. 5/2017 is enclosed herewith for further compliance and necessary action.

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

Copy fwcs to:-

- 1) The Superintending Engineer, MSEDCL, O&M Circle, Akola.
- 2) Dr. Chandrakant Shamrao Sangitrao, Shriram A-7, Sudhir Colony , Akola.