

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD

Case No. CGRF/AZ/AUR/U/2005/12.

Date of Filing: 06 / 10 / 2005.

Date of decision: 10./ 11 / 2005

Nivruti Ashok Hire -- the Consumer Complainant.

R/o C-4 , Mayur Park Harsool,Aurangabad.

V/s

MAHARASHTRA STATE ELECTRICITY BOARD,
The Distribution Licensee.

Sub: Grievance under the Maharashtra Electricity Regulatory
Commission,(Consumer Grievance Redressal Forum
and Ombudsman) Regulation 2003

1. The consumer complainant Shri Nivruti Ashok Hire, (Con.No. 490190284368) has filed his grievance in Annexure “ A “ before this Forum on 06.10.2005 under regulation No. 6.5 of The Regulations 2003. A copy of the grievance was forwarded on 10.10..05 to the Nodal officer and Executive Engineer (Adm) in the office of the Superintending Engineer, Urban Aurangabad with a request to furnish his response on the grievance within fifteen days and hearing in the matter was fixed on 27.10.05.
2. The grievance of the consumer in brief is as stated below. The Consumer has taken electrical connection for his residence situated at Plot No. C-4, Mayur Park, Harsool, Aurangabad. The contention of the complainant is that he has received the bill for the period 01.10.02 to 30.11.02 amounting Rs. 1800/ for consumption of 560 units. The bill for the above period was received by him on 23.12.02.Since he felt that the bill received by him is excess,, he checked the reading of the meter installed at basement of his premises and found that consumption recorded by the meter for the period 01.12.02 to 23.12 02 as 809 units. The meter reading on 1.12.02 was 1591 and that on 23.12.02 was 2400.He further contended that he then contacted the Junior

Engineer, Harsool unit of the licensee and complained about the wrong performance of the meter which was recording about 38-40 units even though the lights are switched off.

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The concerned Junior Engineer sent a supervisor for verification of the complaint of the consumer .The supervisor on inspection of consumption of electricity and meter, admitted meter being faulty and reported accordingly to the Junior Engineer, who asked the consumer to get his meter tested and asked him to credit meter testing charges which he did on 24.12.2002. Thereafter he was told that the meter will be sent for testing and after testing of meter correct bill will be issued. Since meters were not in stock, new meter was installed at his premises on 10.01.2003. At the time installation of new meter , the old meter disclosed its reading as 2837 (meaning 1246 units were recorded from 23.12.2002 to 10.01.2003.) Thereafter he was given bill on average basis for 310 units for the period ending 30.01.2003 amounting to Rs. 2810/, which he paid on 15.03. 2003. Thereafter he received bill for 1481 units for period ending March 2003 amounting to Rs. 4620/. Thereafter he complained to the Junior Engineer and also showed him the bill. The Junior Engineer stated that he cannot do anything in the matter unless the test report of the old meter is received .The consumer pursued the matter of testing of the meter for about an year, but in vain. In the meantime he came to know that his meter was not sent for testing and it was also misplaced. Since he was serving at Pune he could not pursue the matter and in January 2005 his supply was cut off for nonpayment of the bill. He again complained to the Junior Engineer who told him to pay the bill first..Thereafter he paid Rs. 6000/ in March 2005 and got his supply reconnected .The contention of the consumer is that the erroneous bills charged to him for

the period in dispute should be rectified and he should not be subjected to the DPC charges and interest.

3. On the date of hearing, consumer Shri Ashok Nivruti Hire was present. The consumer stated that though he is the consumer the connection is actually released by name of Nivruti Ashok Hire which is incorrect. The consumer was directed to file separate application for correction of name to the D.L. The Nodal officer was not present on the date of hearing .No response to the grievance of the consumer was filed on behalf of the D.L. The consumer was directed to file copies of the some of the bills., Copy of CPL was also directed to be called from D.L. and case was adjourned to 31.10.05.

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- 4 On 31.10.2005, the consumer was present. Neither Nodal officer nor any representative on behalf of D.L .was present. Since CPL was not filed by the D.L. the member secretary was directed to obtain the CPL. and the case was kept for decision.
5. On going through the grievance of the consumer ,we find that the consumer has complained in writing to the Sub Division incharge on 26.12.2002 about his meter having gone faulty. The consumer on 05.03.2005 has also applied to the concerned Engineer about rectification of the erroneous bills. In the application he has narrated facts about bills from Nov.2002 and that he has received the bill of Rs. 13110/ and on his (Jr.Engineer) instructions the consumer has paid Rs.6000/ and requested for reconnection. In the application he has also shown willingness to pay the bill on average basis

for the disputed period. We have gone through the CPL and the copies of the bills submitted by the consumer. On going through the same we find that his old faulty meter was replaced on 10.01.2003 and the reading of the new meter at the time of installation was 0005. It is also seen that from April 2003 onwards there is no complaint in respect of the units consumed and the performance of the meter.

6. We also find that the disputed period so far as the grievance is concerned is six months i.e. Oct.2002 to March 2003 (three billing cycles). The consumer has been charged for 560,310 & 1481 units for these three billing cycles. The bills in respect of 560 & 310 units relate to old meter exclusively. But so far as bill in respect of 1481 unit is concerned , 235 units are in respect of new meter whereas 1246 units are in respect of old meter. Though the fact of meter having been faulty was reported to the concerned authorities of D.L. by the consumer , no proper cognizance thereof appears to have been taken except that the consumer was asked to pay meter testing charges , which he did pay and a new meter was installed. The old meter was removed by the D.L. and irrespective of persuasion by the consumer at different levels, all that he got was the information that his meter was not sent for testing and it was also misplaced. Since no

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response has been filed by the NO we are of the opinion that the grievance of the consumer so far his contention about the old meter is concerned are true. None of the applications of the consumer to the D.L. appear to have been answered any time.

7. The contention of the consumer that his old meter has gone faulty and was recording excess units appears to be correct. As observed above the disputed period for which wrong bills have been given is of six months or three billing cycles, as stated above. The consumer has been charged for 560,310 & 1481 units for these three billing cycles. Since the old meter has not gone for testing nor the testing report is available, the extent of fault in the meter cannot be ascertained. Therefore we are left with no alternative than to consider the units consumed before the installation of new meter and after the installation of new meter, excluding of course the disputed period in assuming the probable consumption during the disputed period. On going through the relevant documents, we find that prior to the disputed period the consumer has consumed 793 units in five billing cycles which goes to show that his average consumption per billing cycle is @ 160 units. After installation of the new meter, he has consumed 1005 units in six billing cycles, which means his average consumption per billing cycle is 167 units. Therefore it would be in fitness of things to assume that the consumption of the consumer per billing cycle is 170 units. Therefore the bills which have been given to the consumer in utter disregard of the fact that the meter has gone faulty and was recording excess units , need to be rectified by taking the average consumption of 170 units per billing cycle.

Therefore it is ordered that

1. The bills relating to the disputed period should be corrected considering average consumption of 170 units per billing cycle.

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2. Bills subsequent to the disputed period also shall be correspondingly rectified and a final corrected bill should be given to the consumer within a period of one month from the date of this order.
3. While giving a final rectified bill , the amount of bill , DPC, interest & reconnection charges paid by the consumer should be given to his credit and other charges such as DPC, Interest should not be charged to the consumer.
4. The consumer shall pay such final rectified bill within a period 21 days from the date of receipt of the bill.

The Distribution Licensee .& the consumer shall comply with the above order and report compliance to the Forum.

Inform the parties and close the case.

(H.A.KAPADIA)

MEMBER

V.G.JOSHI

MEMBER SECRETARY

(R.K.PINGLE)

CHAIRMAN