

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

*"Vidyut Bhavan",
Ratanlal Plots,
Akola: 444 001
Tel.No.2434476*

Dt-25/04/2013

Complaint No.22/2013

In the matter of Shri Ganesh Vishwanath Aakre, Anjangao Surji for billing dispute.

Quorum :

Shri T.M.Mantri,	Chairman
Shri P.B.Pawar,	Secretary
Shri A.S.Gade	Member

Shri Ganesh Vishwanath Aakre, ...vs... **... Complainant**

MSEDCL Achalpur Dn. Amaravati ... **Respondent**

1 The complainant has approached this forum in respect of grievance of incorrect bills, as well as compensation. The complainant's case is that he is a small commercial consumer paying electric bills regularly. In the bill of May 2012, inspite visibility of figures in the photo, the bill for excess reading has been given showing it "Faulty". There is no fault in the Meter. Though the complainant has made oral and written complaint, in that respect, but nothing has been done. Grievance has been made about issuing of incorrect bills in respect of October 2012 bill for Rs. 2000/- which is patently incorrect. Though grievance was made it was orally asked to pay provisionally Rs. 1500. Hence, the approach was made to the I.G.R.C Amaravati. Neither the matter has been heard nor any order has been passed in the said proceeding. Hence the complainant is compelled to approach the forum seeking reliefs prayed for.

2 Notice as per regulations issued to the concerned office of the N.A.licensee for its reply to the complaint. Reply came to be filed stating that as per spot inspection report on 05-04-2013 the meter reading was 343 and copy of said report is also annexed with the reply. Further stated that on scrutinizing **the CPL of complainant from august 2011, it was found that bill for very less amount came to be issued, say about 10-11 units only. In view thereof it was presumed**

that the said meter was faulty. Hence, since May 2012, the Complainant had been issued faulty bills @ 65 Units. The complainant has submitted first application on 13/07/2012. The complainant use the electric for commercial purpose. In August 2012, the bills have been corrected however till today, the complainant has not remitted the amount. It is further stated corrected bills as per meter reading will be issued to the complainant and the faulty bills issued to him shall be reduced without levying interest or penalty. This will be carried out within 15 days. If any excess payment is found to credit of the complainant, the correct bill for that excess amount shall be issued to him, else what may be due against him, bill therefor shall be issued. Along with reply copies to certain documents came to be filed.

5 The matter was then posted for arguments. Heard Shri Anand Sangai, the learned representative for the complainant and Mr. Geed, Assistant Engineer, the learned representative for N.A. licensee. Alongwith complaint certain document came to be filed on behalf of the complainant, such as copies of the letter dated 13/07/2012, 22/11/2012 and bills. It is clear there from that incorrect bills came to be issued to the complainant continuously. Even from the copy of CPL filed on behalf of the N.A. licensee the position is clear. The complainant's contention that though there was no fault in the meter and it was showing reading of the actual consumption, excess bills under the name of faulty, came to be issued. In spite of making grievance time and again nothing was done. The copy of the bills filed on record clearly show that there is much substance in the grievance of the complainant. So also CPL filed on record also supports the case of the complainant. It is clear there from that the bills even issued "Faulty" @ 65 units per month, without any basis. This has been started from April / May 2012. From the CPL, it is clear that earlier the consumption of the complainant was much less. If one considers reply filed and signed by the Nodal Officer, it is clear that this bills of 65 units per month as faulty, have been issued on presumption that the meter was faulty. If the said meter was faulty, what steps have been taken from, the side of N.A. Licensee. The record clearly shows that no steps have been taken, on the contrary after grievance made by the complainant, credits have been given to the complainant, -1208.39 in August 2012 and -3620.00 in February 2013, as per CPL and it has been so mentioned in the reply.

6 Here it is pertinent to note that though the complainant had approached IGRC Amravati on 22/11/2012, nothing has been done. The submission of the complainant that even no hearing was taken by the said authority has not been disputed from the side of N.A. Licensee. After passing of the period, as per

requirement, the complainant has approached this forum. During the course of argument. The learned representative of the N.A. Licensee has submitted that meter reading agency has committed mistakes resulting in issue of incorrect bills to the complainant. When query was made with the learned representative of the N.A. Licensee as to what action has been taken against said agency, he could not give any reply. However said that there is provision of imposing fine. Merely because fine is imposed against the meter reading agency that will not resolve, the grievance of the complainant. To which learned representative of N.A.Licensee has agreed and submitted that correct bill as submitted in reply will be issue to the complainant and henceforth monthly bills as per actual consumption of electricity will be issued and neither interest nor DPC charges shall be levied against complainant. While correcting the bill action will be taken against the meter reading agency.

7 During the course of arguments, the complainant's representative has also pointed that an amount of Rs. 5000/- has been recovered from the complaint by way of deposit. The CPL filed on record clearly shows that till August 2011, the security deposit amount was shown has 2000/-. In September 2011, it is shown as Rs. 4000/- where as in November 2011, it is shown as Rs. 5000/-. The submission by the learned representative of the complainant that there was no basis or reason for collecting such exorbitant amount of security deposit from the complaint is not contravened from the side of Non-Applicant. The learned representative of the N.A. Licensee has agreed that the amount of 5000/- as security deposit in case of complainant is excessive. Though in the complaint there is no direct averments in that respect, however, the learned representative of the N.A. Licensee has submitted that the excess amount of security deposit shall be adjusted in the forth coming bills. The learned representative of the complainant has tried to submit that it should be repaid with interest. As is observed there is no direct averments in this respect in the complaint, it will not be just and proper to grant that request and specially when the learned representative of the N. A. Licensee has agreed to make adjustment of excess amount of deposit in the forth coming bills.

8 During the course of argument, the learned representative of the complainant has further submitted that as per tariff fixed by the Honorable MERC in 19/12, the complainant is entitled for tariff LT- I, as consumption is much below than 3600 units during preceding year. The learned representative of N.A. Licensee had not disputed tariff order passed by MERC, according him certain compliances are required. He cannot justify or clarify requirement of any such

compliances and ultimately submitted that as per new tariff order, the bills shall be issued to the complainant. That the complainant's claim is also for compensation for issuing of incorrect bills and not taking cognizance inspite of sufficient time. However, as pointed out during course of submission that the concerned office of the N.A. Licensee has given credit in the bills of the complainant, firstly in August 2012 then in February 2013, as referred to above, so also submitted that the bills as per actual consumption shall be issued to the complainant and if any credit is found the same shall be reflected and shall be adjusted in the forth coming bills apart from adjustment of excess amount of security deposit, this forum is of the view that it will not be just, proper to grant the claim of the compensation as claimed by the complainant. Needless to say that N.A. Licensee to take appropriate action/steps against the meter reading agency, for issuing incorrect bills, whereby causing unnecessary harassment to the complainant.

9 The complainant has also claimed cost of the proceedings apart from compensation. It is clear that the complainant is from the small town in Amravati District and has to approach the forum for Redressal of his grievance. The forum is of the considered view to grant reasonable relief, in that respect to the complainant. With such observations the forum proceeds, to pass following unanimous order-

ORDER

- 1) Complaint 22 of 2013 is hear by partly allowed.
- 2) The N.A. Licensee is directed to issue correct bills of actual consumption of the electricity by the complainant and if excess amount is found to the credit of the complainant, the same shall be adjusted in forth coming bills.
- 3) The N.A. Licensee is further directed to adjust the excess amount of security deposit recovered from the complainant in the forth coming bills.
- 4) The N.A. Licensee is further directed to apply tariff order LT-I as fixed by Honorable M.E.R.C., in 19 of 2012 with effect from 01/08/2012 to the complainant, in view of his consumption being less than 3600 units in the preceding year.

5) The N.A Licensee to take appropriate steps including that of levying of penalty/ fine against the meter reading agency and to pay Rs. 500/- to the complainant towards costs of the present proceeding. The N.A. Licensee to recover the amount of said costs from the meter reading agency.

6) The N.A. Licensee to submit compliance report within period of 3 months.

Sd/-
(A.S.Gade)
Member

Sd/-
(P.B.Pawar)
Secretary

Sd/-
(T.M.Mantri)
Chairman