

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

*“ Vidyut Bhavan ”  
Ratanlal Plots,  
Akola : 444001  
Tel No.2434476*

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Dt.25/04/2014

**Complaint NO. 72 / 2014**

**In the matter of grievance of excessive and incorrect bills etc.**

**Quorum :**

Shri T.M.Mantri, Chairman

Shri P.B.Pawar, Secretary

Yashoda Premchand Kukreja, Amravati (Consumer NO.366470927253)..**Complainant**  
...vrs....

The Executive Engineer, MSEDCL(Urban Div),Amravati ..... **Respondent**

**Appearances :**

Complainant Representative : Shri D.M.Deshpande.

Respondent Representative : Shri G.R.Gode, Jr Engg & Shri Upadhyaya,  
Asstt.Law Officer

**In the matter of grievance about the excessive and incorrect bills with other  
reliefs.**

1. Being aggrieved by the Order of IGRC, Amravati, the Complainant has approached this Forum in respect of grievance about the abnormal & excessive bills from October 2013 to December 2013. The complainant's case in brief is that She is a commercial consumer since 2000 with connected load of 6.10 KW and till

September 2013, the Energy bills have been paid regularly, being normal. For the month of October 2013 abnormal bill for Rs.20,800/- was received for 1736 units against the average consumption of about 350 units. Again the energy bill for November 2013 for Rs. 57,270 for 2947 units was received. In view thereof, the complaint was lodged about fast meter at CFC Centre, Amravati. As per the quotation received Rs.300/- have been paid for Meter Testing Charges on 13.12.2013. The meter was replaced on 24.12.2013. Then allegations have been made about the non-compliance of the provisions of the Regulation 2005. Neither any notice was given, nor copy of Replacement Report as well as final recorded reading is not taken in presence of the complainant. Even the Complainant's request for acucheck for the meter before removal, was not considered. It is alleged that after installation of new Meter, the bills for January and February 2014 have been received for 352 and 452 units, respectively, which clearly demonstrate the abnormal behavior of meter, from October 2013 to December 2013.

2. It is alleged that inspite of making payment fees, meter is not tested in the approved Lab, so also intimation about the testing of the meter was not given to the complainant. Also the meter was not tested in presence of the complainant. However, the N.A. has supplied Meter Testing Report alleged to be OK and complainant has referred to the doubtful facts therein alleging that the said meter is not tested as per the CEA Regulations. Therefore, the abnormal bills from October 2013 to December 2013 needs to set aside. Inspite thereof the complainant is ready to pay as per the average monthly consumption. The payment of bill from October 2013 has been made under protest.

3. According to the complainant, even in the Testing Report the meter is shown "Burnt" meter, thereby it was not possible to measure the energy correctly through it. According to the complainant, at the time of spot inspection, total load was of 2.095 KW. Retrieval of Load Survey Report through MRI data was not made available, hence sought for the relief for setting aside the abnormal bills with adjustment of amount paid on revised estimation of the consumption. The complainant has claimed Rs.5000/- towards cost and refund of Rs.300/- meter testing charges with other reliefs. Copies of the documents came to be filed with the complaint.

4. Notice as per the Regulations was given to the N.A. for submitting reply to the complainant. The same is filed, stating that as per the CPL, it is clear that the consumption of more 500 units has been noticed on many occasions, as mentioned in the reply, so also it is stated that in March 2010, the recorded consumption was 1505 units and 969 units in October 2010, with further assertions that the consumption of the complainant varied seasonally in Dipawali and Summer, on higher side. It is stated that after payment of meter testing charges, meter was tested on 7.1.2014 and it was found to be OK and the outgoing neutral point was burnt. On 24.12.2013 the meter was replaced with new meter. The N.A. has supported the issue of the bills in question considering the Meter Testing Report being OK and stated that the consumer was asked to pay actual bill of Rs.69,510 till January 2014 at the earliest. Alongwith the reply, copies of the documents came to be filed.

5. The matter was then posted for arguments. Herd Mr D.M Deshpande, Learned Representative for the Complainant and Shri Upadhyaya, Assitant Law Officer, Learned Representative of the N.A.

6. Upon considering the available material on record, it is clear that even as per the CPL and defense of the N.A., during the last about 5 years, except for few months only the consumption units are in the range of 500 to 700. No doubt in March 2010, reading was 1505 units and in October 2010 the reading was 909 units. However, it is also admitted position that the reading was never excessive as involved in the present grievance. Here it is further to be noted that immediately after replacement of the mater, which was burnt, the readings of the consumed units for February 2014 and March 2014 are of 450 and 507 units, respectively. The record thus clearly shows and it does not at all support the defense of the N.A that in the Summer and Dipawali, normal units are recorded on higher side except on one or two occasions as referred to above.

7. Admittedly the Complainant has made grievance about the meter running fast, as it is clear from the record that N.A. has failed to make compliance of the Regulations. There are failures on the part of the N.A. of not giving notice to the complainant for replacement of meter, testing of meter and the last meter reading. The N.A. has relied upon the Meter Testing Report dated 8.1.2014. From the said report, it is clear that the said Meter was replaced on 6.1.14, testing was done on 7.1.14 and date on the report is 8.1.14. The complainant's averment is that she has not been given notice for the said testing and it was not done in her presence. It does not bear the signature of the complainant, so also it does not

bear the signature of meter tester. The Learned Representative of the complainant is justified in attacking the said testing report by submitting that burnt meter cannot be tested. The submissions that for carrying out said test, the N.A. has open the meter and has not kept the seal intact, has to be accepted. In support of his submission, he has filed on record the copy of the letter of Executive Engineer Testing Division, Amravati, dt.20.3.14, wherein it has been stated that the burnt meter cannot be tested, so also the MRI data of the said meter could not be retrieved, hence snap shot reading is also not available. There is no convincing submission on N.A.'s side. There is a substance in the submission made on behalf of the complainant that at the time of alleged meter testing by the N.A. it has dealt with meter as well as it is not intact. Moreover, if one considers the said Testing Report, it is clear that only for 50 pulse alleged reading has been recorded. So it means the entire testing was for 150 pulses as against the requirement of 800 pulses of one unit, so it is clear that the period for alleged checking was much less than what is required for one unit. In any case, as per the communication of Executive Engineer, Testing Division, Amravati, it is clear that such meter cannot be tested though the Learned Representative of the N.A. has received the copy of that communication, has made no submission in that respect. So from the available material on record, it is clear that the said meter testing report dated 8.1.14, cannot be relied upon. Even the compliance of the Regulations have not been applied when the same cannot be considered.

8. So if one considers the average consumption of the Complainant, even during the relevant period of October to December in each year, it is clear that it was never to such a large extent and immediately after the replacement of the meter, the consumption readings are in the range of 450 to 500 units, except

disputed period i.e. October 2013 to January 2014, the complainant's consumption was never on such a higher side. As is clear from the record, it was a case of burnt meter, hence there seems to be considerable substance in the submissions of the complainant about the abnormal behavior of the meter considering the disputed period. No doubt as per the submissions made on behalf of the complainant, she has made payment of first Bill of October 2013 and subsequently paid amount of Rs. 6090 /- and Rs.4570/- as per the provisional bill. This Forum thinks it appropriate to set aside the disputed bill in question from October 2013 to January 2014 and it will be just and proper to direct the N.A. to issue bills on average consumption units on the basis of last 12 months consumption. Needless to say that whatever payment the complainant has made during the intervening period, needs to be adjusted and the final revised bill in terms of this order, needs to be issued to the complainant.

9. The complainant has claimed Rs.5000/- towards cost of proceeding for the alleged reasons, so also refund of Rs.300/- as Meter Testing Fees. It is pertinent to note that the Complainant has made grievance not immediately after the first excessive bill of October 2013, but has made complaint on 13<sup>th</sup> December 2013. Even according to the complainant, payment of November 2013 bill has not been made. The Learned Representative of the N.A. has submitted that after receipt of notice of dis-connection, the Complaint has moved and therefore no relief as prayed on this count needs to be granted. This forum finds that the claim made by the complainant on this count is exaggerated. The meter testing charges are required to be paid by the Complainant. Consequently, this Forum proceeds to pass the following unanimous order:-

## ORDER

1. That the Complaint No. 72 / 2014 is hereby partly allowed. The impugned bills of October 2013 to January 2014, needs to be set aside and the N.A. is directed to issue Electric bills on the basis of average monthly consumption on the basis of the period of last 12 months.
2. Whatever payment the complainant has made in the meanwhile, needs to be adjusted in those bills and if any payment is due, the complainant to make the same immediately after receipt of the bills. In case, there is any excess payment made by the complainant, the same needs to be adjusted in the forthcoming bills of the complainant.
3. In the circumstances, parties to bear their own cost.
4. The rest of the claims of the complainant are rejected.
5. That the compliance report be submitted within a period of one month from the date of this order.

Sd/  
(P.B.Pawar)  
Secretary

Sd/  
(T.M.Mantri)  
Chairman

No.CGRF / AMZ/

Dt. 25 /04/2014

To  
The Nodal Officer / Executive Engineer,  
MSEDCL,  
Urban Division,  
Amravati  
For information & necessary action.

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

Copy To:  
Yashoda Premchand Kukraja, (Consumer N0.366470927253)  
2<sup>nd</sup> Floor, Vidarbha Plaza, Panchasheel Talkies Road,  
AMRAVATI

Copy s.w.r.to:-  
The Superintending Engineer, O & M Circle MSEDCL Office AMRAVATI