

Date of Admission. 10.02.2014.
Date of decision. 07. 04 .2014.

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD.

Case No. CGRF /AZ/U/489/2014/10

To,

1. Shri Devidas Namdev Gaikwad, **COMPLAINANT.**
Plot No.3, Bhakti Nagar,
Pisadevi Road, Aurangabad.

VERSUS.

1. Executive Engineer,(Adm.) **RESPONDENT.**
Nodal Officer,
O&M Urban Circle,
MSEDCL, AURANGABAD.
2. M/s GTL LTD.T-9 IT Park,
MIDC, Chikalthana,
Aurangabad.

CORAM:

Shri S. K. Narwade Member/Secretary

Shri V. S. Kabra Member.

REDRESSAL - DECISION.

The complainant is consumer of respondent MSEDCL and respondent GTL since 14.3.2003, he is having 3 phase commercial connection for floor mill and load of the floor mill is 5 kw. His consumer No. is 4900011603651 and meter installed is having Sr.No. 6100341625. In the month of May 2013the Respondent GTL issued bill of 40759 units amounting Rs. 394210=00. The complainant approached to the office of respondent No. 2 and submitted his grievance orally however no cognizance is taken by the respondent.

In the month of June 13, 4076 July 13, 40 August 13, 2609 September 13, 995 and October 13, 780 units are shown on the bill and wrong bills are

issued to complainant. The complainant is incapable for the payment of such incorrect electricity bills. During the year 2012, the bills are issued on average basis only for 67 units per month. The credit given in the month of May, 13 & August 13 is not agreed to the complainant and he has requested to divide consumption in 128 months considering reading 44577 as on 30.7.2013.

The complainant has followed with the respondent for the redressal office grievance since 6.6.2013; however there is no proper response for the redressal from respondent GTL. The decision given by IGRC GTL is not agreed to the complainant . Therefore the complainant has filed the grievance before this forum for redressal of grievance and demanded compensation.

The respondent MSEDCL submitted in reply that the grievance is pertaining to GTL since MSEDCL has handed over to carry out all activities and duties to GTL w.e.f. 1.5.2011. Therefore forum may take decision on the documents and say of GTL.

The respondent GTL submitted in reply that, the consumer has raised similar grievance before IGRC of GTL Ltd. By way of complaint no GTL / IGRC / 59 / 2013 wherein, IGRC has on 4.1.2014 ordered that, May 11 to till date bills to be bifurcated as per industrial tariff. As in the past category of the consumer was commercial therefore as per MERC order no. 111 / 2009, flour mill comes under Industrial LT V category therefore category of the consumer shall be changed as industrial.

As per this IGRC order, credit of Rs. 185191 is in process and this will effect in the next billing cycle. The revision statement is submitted before forum

The forum heard both complainant and respondent GTL. The respondent GTL has submitted CPL of the complainant for the period May 2008 to January 2014 , it is seen from the CPL the bills issued to the complainant by respondent MSEDCL and also GTL as per commercial tariff which is not a applicable tariff for the flour mill . The flour mill comes under the category

of industry, therefore the electricity bills are to be issued as per in the industrial tariff. The MSEDCL has handed over the area to GTL w.e.f. 01.05.2011. Prior to handing over GTL the respondent MSEDCL has also issued bills as per commercial tariff and actual monthly readings are not recorded. It is seen from the CPL since from May 2008 to June 2010 MSEDCL has issued bills on the average basis of 160/100units per month only with the status of RNA / in excess, the normal bill are issued only for the month of July 2010, August 2010 , September 2010, November 2010 . December 2010, and April 2011. The respondent MSEDCL issued only 6 normal bills from May 2008 to April 2011(36 months). The respondent MSEDCL out of 36 months before handing over to GTL issued bills on average basis continuously for 26 months i.e. from May 2008 to June 2010 which is liable for compensation as per MERC SOP. Therefore respondent has to pay compensation of Rs. 5000/- to complainant for non recording of correct meter readings.

The respondent GTL after taking over from MSEDCL has also not recorded actual monthly meter reading since from May 2011 to April 2013 and issued bills on average basis 67units per month only with status of RNA / in excess able i.e. for 24 months continuously. The respondent GTL has also not performing as per MERC SOP hence liable for compensation for Rs. 4600/-

The forum perused with the bill revision statements submitted by respondent GTL, it is seen that the accumulated consumption of 47551 units is bifurcated in 33 months which comes to 1440 unit per month and accordingly bill is revised and credit of Rs. 185191.33 are given. The respondent GTL considered only for their take over period.

The forum is in the opinion that the consumption recorded on the meter is accumulated not only for the period of respondent GTL; it is accumulated since from the period of MSEDCL. The meter reading in May2008 is 1162 and reading in Jan2014 is 49352.

Therefore the total consumption from May 2008 to January 2014 (49352 – 1162) 48190 units needs to be bifurcated in 69 months. Considering the average consumption per month (48190 units / 69 months) as 698 units, the bill is to be revised, to the extent of only for 24 months up to January 2014 and bill up to Jan2014 is to be quashed. Therefore the forum process to pass following order.

ORDER

1. The bill of Rs.5,09,590.89/- as on Jan2014 is here by quashed.
2. The bill for 24 months up to January 2014 to be issued at the average of 698 units per month as per Indus. tariff and complainant has pay bill within one month from receipt of bill.
3. The DPC and interest to be withdrawn totally.
4. The respondent MSEDCL to cost SOP compensation Rs.5000/ in cash.
5. The respondent GTL to cost SOP compensation Rs. 4600/- in cash or Adjust through bills.

Sd/-
(S.K.Narwade.)
Member/Secretary

Sd/-
(V.S. Kabra.)
Member