

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL
FORUM , AURANGABAD ZONE, AURANGABAD**

Case No. CGRF/AZ/AUR/R/ 40/ 2007/ 09

Date of Filing: 05.04.07

Date of Decision: 16.05.07

Shri LAXMAN D. Gote

Galnimb, Post Agarwadgaon

Tal.Gangapur Dist. Aurangabad.

(Consumer No. 507760006677)

Consumer

Complainant.

V/s

**Maharashtra State Electricity Distribution Co.Ltd.
Aurangabad.**

**Sub: Grievance under the Maharashtra Electricity Regulatory
Commission,(Consumer Grievance Redressal Forum
and Ombudsman) Regulations 2006.**

The consumer Laxman Gote is no more. His son Dyaneshwar L.Gote (herein after referred to as consumer) has filed his grievance in Annexure “ A “ before this Forum on **05.04.07** under regulation No. 6.10 of the Regulations referred to above. A copy of the grievance was forwarded on 05.04.07 to the Nodal officer and Executive Engineer (Adm) in the office of the Superintending Engineer, Rural Circle , Aurangabad with a request to furnish his response on the grievance within a period of fifteen days and hearing in the matter was fixed on **26.04.07**

The grievance of the consumer, in brief, as per consumer, is as stated below..

The consumer is having residential connection for his residence situated at village Galnimb, Tal Gangapur Dist. Aurangabad. The electricity bill received for May/June 2006 was excessive due to wrong reading .

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Therefore he complained to the Jr. Engineer, Gangapur, number of times. The Jr. Engineer, Gangapur, did not pay any heed to his complaint and told him that bill cannot be corrected, he will come for meter inspection and he does not have time for meter inspection etc. Even then the consumer pursued the matter with the Jr. Engineer who ultimately told him to bring application for bill revision and format of meter inspection report from zerox shop. He brought the application form & the format of meter inspection from the Zerox shop (application on one side and format on reverse side) and gave to the Jr. Engineer. The Jr. Engineer told him to get the meter inspection form filled in from lineman. The consumer met the lineman, who inspected the meter of the consumer on 11.9.06 and filled in his inspection report in the format and told him to give it to the Jr. Engineer. The consumer filed the same with the Jr. Engineer and asked for acknowledgement thereof. The Jr. Engineer told him that there is no necessity of acknowledgement but on repeated requests of the consumer, the Jr. Engineer signed only on application form as token of receipt. Since the bill was not revised he did not pay the excessive bill therefore electricity supply was disconnected on 18.09.06. It is further contended that though the supply was disconnected, the bills were issued to him. It is also stated that the connection is in the name of his father who is deceased. The consumer applied for transfer of connection in his name but the Jr. Engineer was not prepared to give N.O.C. unless the bill was paid. The consumer therefore requested the Forum for restoration of his supply, issue of revised bill and compensation of Rs.21000/.

On the first day of hearing i.e. 26.4.2007 the consumer was present, the Nodal officer was not present. No body else was present on behalf of Distribution Licensee (hereinafter referred to as D.L.) . Ex-Parte proceedings were ordered against the D. L. and the case was reserved for decision.

But sometime afterwards the representative, authorized by the Nodal officer presented himself and requested for setting aside Ex.parte order. The Ex-parte order was set aside and the case was adjourned to 3.5.07 with notice to the consumer.

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On 03.05.07 , the consumer was present, Nodal officer along with Asst. Engineer & Jr.Engineer were present on behalf of D.L. The Nodal officer filed his response on the grievance of the consumer , copy of the same was given to the consumer. Heard the consumer on the response given by the Nodal officer. Heard the representative of the Nodal officer and the case was reserved for decision.

The Nodal officer in his response on the grievance has stated that the Jr.Engineer (Rural-1) unit Gangapur made spot inspection on 25.04.07 and the reading of the meter was 1258 units. It is further contended that electricity supply was not disconnected. It is also stated that at the time of inspection, the meter seal and MTC were broken. The inspection, is to stated to have done in presence of shri Bhalekar , Sarpanch of village Galnimb. It is also contended that between 11.9.06 and 25.4.07 , the consumption shown is only 10 units which is doubtful and consumer has reversed the meter reading. The Nodal officer therefore contended that say of consumer is not correct and the grievance should be rejected.

We have gone through the grievance of the consumer and the copies of the bills and copy of his application , and copy of inspection report dt.11.9.06 filed by him. We have also gone through the response filed by the Nodal officer, copy of CPL ,spot inspection report dt.25.4.07, Jr. Engineer’s letter dt.25.4.07 and consumer’s application dt.9.9.06.

On going through the bills ending Dec.05 , Feb.06 and April 06 , we find that the consumption of the consumer is 47,60 and 42 units respectively. We also find that the bill ending June 06 is not like other bills given to the consumer. The other bills are computerized bills giving all the details as per the format of the bill. The bill for June 06 is completely hand written though the format of the bill used is the same. No dates of previous reading and current readings are written .In the date of current reading only June 06 is written. The previous reading written is 1202 and current reading written as 1848, showing consumption of 646 units and bill amount of Rs.3041/ which is mentioned as June 06 arrears.

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As per inspection report dt.11.9.06 ,the consumer was having one tube, one bulb and one TV . As per inspection report of Jr.Engineer dt.25.4. 07, the consumer is having two tubes, one bulb and one TV. From the bill it appears that the reading on the meter on 30.4.06 was 1202. If the reading on 30.4.06 is 1202 with load as stated above ,it is just impossible that the consumption by June end could be 646 units. The consumer as stated above has filed his application dt.9.9.06 for revision of bill to the Jr. Engineer on 14.9.06 and the same is acknowledged by the Jr. Engineer. On the other side of the application ,the format of meter inspection report is printed and the same is filled in by the lineman and it also bears the signature of the consumer. Being surprised at this type of application form we enquired with the consumer who told that the concerned officials of the D.L. asked the consumer to bring this format of meter inspection report as well as the application about rectification of the bill from some shop in the market. We therefore asked the consumer to file such one application form on reverse of which even the format of inspection is printed . The consumer did file such a document on one side of which the application form for bill revision was printed and on reverse of which inspection report format was printed. This blank application form appears to have been supplied by Renuka Zerox ,Gangapur. The application form submitted by the consumer to the Jr. Engineer does bear the signature of the Jr. Engineer in token of the receipt thereof on 14.9.06. The Nodal officer has also filed the copy of the application submitted by consumer on dt.9.9.06 addressed to the Jr. Engineer. Surprisingly we find that some printing on the left hand side of application form along with signature of the Jr. Engineer has been deliberately concealed by resorting to wise Xeroxing.

The consumer in his grievance has stated that with much persuasion the Jr.Engineer signed his application form in token of receipt but did not acknowledge the meter inspection report dt.11.9.06, which infact is on the other side of the application form . Needless to say the other side of the application form filed by the Nodal officer along with his response is blank.

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The line staff one Shri Shaikh Ibrahim has carried the inspection of the premises of the consumer on 11.9.06 .In the inspection report the meter reading is mentioned as 1248.The consumer in his grievance has stated that on 18.9.06 his supply was disconnected .

The fact of disconnection of supply is also borne by the fact that the consumer has specifically prayed for restoration of supply. The Nodal officer , based on the report of the Jr. Engineer, has stated in his report that the supply was never disconnected and was live upto date of inspection i.e. on 25.4.07. The Jr. Engineer in his report dt.25.4.07 does mentioned the reading of the meter as 1258. The consumer in his grievance filed before the Forum on 5.4.07 has stated that today’s reading is 1256. Surprisingly the Jr. Engineer at the time of spot inspection is accompanied by Sarpanch perhaps to corroborate his contention that supply was not disconnected. The consumer ,on response of the Nodal officer , has stated that the Jr. Engineer alone has come to his premises at about 10.00 hrs on 25.4.07 and again on same day he came with Sarpanch for inspection. During his first visit on 25.4.2007, the junior engineer might have reconnected the supply and also might have broken the seals, because the seals were intact on 11.9.06 at time of the inspection of the lineman and the supply of the consumer was disconnected a week later only i. e. on 18.9.06. This inspection report is signed by the sister of the consumer, as consumer stays at Pune due to his service at Pune. The Jr. Engineer when says that on 25.4.06 the meter reading is 1258, it goes on to corroborate the contention of the consumer that his supply was disconnected on 18.9.06. That is why the meter reading on 5.4.07 , as mentioned by the consumer in his grievance was 1256, and the same is 1258 on 25.4.07 as per inspection report of the Jr. Engineer.

In order to escape this anomaly the Nodal officer appears to have put forth the theory that the consumer has reversed the reading of the meter by breaking meter seal and MTC. As a matter of fact we do not find any necessity unless it is imperative to visit the premises of the consumer in order to give response on the grievance of the consumer. Therefore this also explains as to how the meter reading on 11.9.06 would be 1248 and on 25.4.07 would be 1258.

The response of the Nodal officer is rejected in toto, here we can not resist ourselves from opining that the role of the lower officer of D.L. is suspicious. We find that the consumer's grievance is correct and the consumer has been harassed by forcing him to reside in darkness for over seven months for no fault on his part.

We therefore have no hesitation in redressing the grievance of the consumer as requested .

Hence the following order:

ORDER

1. The bill of June 06 for Rs. 3041/ and all subsequent bills are quashed. The DPC and interest charged in subsequent bills also stands quashed.
2. The Distribution Licensee is directed to issue the bill for the period May 06 to April 07 for 56 units (1258-1202 units)
3. The bill shall be issued within a period of one month from the date of this order and the consumer shall pay the same within 21 days from the date of receipt of bill.
4. The supply of the consumer shall be restored if it stands disconnected as on today.
5. The Distribution Licensee is directed pay the consumer compensation of Rs. Two thousand five hundred only towards harassment and wrongful disconnection.

The consumer and the D.L. shall comply with the above order and report compliance with the Forum

Inform parties and close the case.

(H.A.Kapadia)
Member

(V.G.Joshi)
Member Secretary

(R.K.Pingle)
Chairman

