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BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD.

Case No. CGRF / AZ / AUR / U / 557 / 2015 / 20

Date of Admission 29.05.2015
Date of Decision 28.07.2015

Shri Siddiqui Abrar Ahmed Mohd. Isaq
House No. 36-D,N-12, Cidco, COMPLAINANT.
Aurangabad 431 201.
Consumer No.(490012419004.)

VERSUS.

1. Superintending Engineer, RESPONDENT
Urban Circle, Nodal Officer,
MSEDCL, Aurangabad.

CORAM:

Shri Dr.Bhaskar .G. Palwe Chairman
Shri N.R.Gandhale Member/Secretary
Shri Vilaschandra .S.Kabra Member.

Redressal Decision :-

The complainant Shri Siddiqui Ahmed S/o Mohd. Isaq, at H.No. 36, D-N-12, Cidco, Aurangabad is bonafide consumer of MSEDCL having Consumer No. 490012419004. The details of the complaint against the Executive Engineer (Admn) , Nodal Officer, Urban Circle is as under,

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The complainant has paid the bills regularly till February 2014. Thereafter bills were issued abnormally for Rs. 77,000/- from March 2014 to August 2014 (within six months) and the dispute arised. The complainant raised the dispute on 11.09.2014. The complainant has constantly followed up the matter till 29.05.2015. On 29.05.2015 complainants electric supply was disconnected 5 th time without giving any notice in writing.

The illegal disconnection was carried out purposely during maintenance work to harass the complainant and give mental torture with ill intension by the Respondent for bill of Rs. 33,730/- which was in dispute with Cidco , Sub-Division. The complainant is based on the following point and its say mentioned various references. The complainant has therefore prayed as under :-

- 1) The revision of bills for fixed charges excess billed from 2008 to 2015 for the load as 50 KW .
- 2) Revision of abnormal / in access / door lock bills from January 2014 onwards, particularly bill for the month of June 2014 for 2858 units in a month (i.e. June 2014) due to jumping of Meter.
- 3) Five times illegal disconnection of my supply by Additional Executive Engineer, MSEDCL, Cidco, Sub-Division,Aurangabad

without giving 15 days notice v/s 56 of the Electricity Act 2003.

- 4) Delay in testing of electric meter of electric supply to the complainant.
- 5) Compensation of Rs. 10,000/- for mental agony, harassment mental torture to complainants entire family (Particularly to complainants ailing wife).

Say of Executive Engineer, Nodal officer, Urban Circle, Aurangabad.

Executive Engineer (Admn) , MSEDCL vide letter dtd. 16.06.2015 has submitted his say. It is submitted that the consumers meter was changed in the month of September 2013 and in the month of October 2013 . The consumer has not paid the bills from 23.09.2013 to 28.03.2014 . Then again from 28.03.2014 to 18.09.2014 . The consumer paid Rs. 25,000/- on 18.09.2014. and total arrears was Rs. 58,830/- The charge was taken over from M/s. GTL by MSEDCL and the arrears of the said consumer in the month of December 2014 was Rs. 78,811/-. Subsequently the consumer has paid Rs. 10,000/- in January 2015, Rs. 20,000/- in February 2015 and Rs. 12,000/- in the month of March 2015.

In the month of March 2015 credit of Rs. 29,200/- was given to the consumer. As per the CGRF order dtd. 30.05.2015 the

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consumer paid Rs. 6030/- vide MR No. 2734404 dt. 30.05.2015 against the bill for the month of April 2015. At present the outstanding the total bill outstanding in the month of April 2015 is Rs. 33,730/- .

Respondent has further submitted that the

- 1) In the month of March 2015 it was observed that fixed charger being billed for the consumer were 50 KW, the same were corrected as 5 KW and an amount of Rs. 29,200/- credited in the month of March 2015.
- 2) Testing fees paid to M/s. GTL but no correspondence from M/s.GTL to MSEDCL at the time of hand over that meter is to be tested.
- 3) As the unpaid amount is Rs. 78,811/- hence installment given considering health problem of consumers wife.
- 4) Part payment given on consumers oral request and reconnection charges recovered against disconnection.
- 5) Bill issued is as per reading and as per consumption recorded. Hence for unpaid amount supply is disconnected as per rule.
- 6) Respondent received the CGRF O.O.No. 00109 / 30.05.2015 which was given without hearing our say. But being the authority this office obeyed the order.

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7) Now the respondent is ready to test the meter as per the consumers say that the meter is not tested by the M/s. GTL. During testing if the meter is found id ok, the Respondent will go for recovery of arrears and it may disconnect the supply if not paid.

Observation of Consumer Grievances Redressal Forum

1) Additional Executive Engineer, MSEDCL, Cidco, Aurangabad has carried out bill revision from December 2008 to February 2015 @ Rs. 400 per month (i.e. for 73 months) for Rs. 29,200/-. But actually the period i.e. from December 2008 to February 2015 comes to 75 months.

It is mentioned by the respondent that the load is revised but bill for the month of March 2015 , April 2015 and May 2015 are issued with the same connected load as 50 KW instead of 5 KW . Therefore respondent shall issue the revised bill with connected load of 5 KW . Hence the bill revision shall be made for 78 months instead 73 months.

2) The meter has jumped in the month of June 2014 with an abnormal bill for 2858 units. It is seen from the records of the respondent the average bill for the 6 months period from July 2014 to December 2014 comes (10548 – 7215) = 3333 divided 6 = 556 units per months. As seen from the CPL. Therefore the bill shall charged for 556 units for the month of June 2014.

- 3) The additional Executive Engineer, MSEDCL, Cidco, Aurangabad has disconnected the Power Supply of the complainant of five times without going 15 days notice under section 56 of the Electricity Act, 2003. Additional Executive Engineer, MSEDCL, Cidco, Aurangabad has Submitted that there is no staff to issue 15 days disconnection notices to the consumer. However it is observed that this is not true.
- 4) Additional Executive Engineer, MSEDCL, Cidco, Aurangabad in the hearing on 30.06.2015 has admitted that, the meter is not tested as there is no facility for meter testing in Urban Circle. i.e. Urban Division 1 / 2 Aurangabad . However it is not true. The delay in meter upto 30.06.2015 is regulation of rules / SOP and liable for penalty.
- 5) Due to illegal disconnection of power supply of the complainant five times by the Additional Executive Engineer without giving 15 days notice under the provision of the Electricity Act, 2003. Complainant ailing wife (who is a patient in his house) suffered a shock and was taken to hospital on 29.05.2015. Complainant had incurred medical expenses. Complainant family members were also mentally tortured by MSEDCL and defamed in society due to this illegal disconnection. Therefore the complainant has requested to award a compensation of Rs. 10,000/- for his harassment mental agony due to illegal disconnection by official of MSEDCL.

In view of the submission made by complainant and the respondent during hearing orally and in writing, this forum has decided to issue order as under :-

ORDER

- 1) MSEDCL shall revise the bill of consumer for fixed charges for load from 50 KW to 5 KW for 79 months (i.e. from December 2008 to June 2015).
- 2) According to Maharashtra Electricity Regulatory Commission (Standard of Performance of Distribution Licensees ,period for giving supply and Determention of compensation) Regulations, 2014 MSEDCL shall pay the compensation to the complainant for delay in revision of electricity bill from 11.10.2014 at the rate of Rs. 100/- per week or part thereof.
- 3) The MSEDCL shall show 5 KW instead 50 KW on the electricity bills issued to the complainant since June 2015.
- 4) Bill issued by MSEDCL for month of June 2014 for 2858 units is quashed. MSEDCL shall correct bill for the month June 2014 for average units i.e. 556 units (Average of units consumed from the month of July 2014 to December 2014)
- 5) MSEDCL shall pay the compensation to complainant for delay in testing of meter at the rate of Rs. 50/- per week or part thereof since 18.09.2014.

- 6) Additional Executive Engineer, Urban Circle, Cidco, has not given fifteen days notice in writing to the complainant before disconnecting the electric supply in default under section 56 of the Indian Electricity Act, 2003. This offence has occurred five times. MSEDCL therefore shall pay the compensation of Rs. 10,000/- (Rs. Ten thousand only) to the complainant for the harassment , mental agony due to illegal disconnection of electric supply. The MSEDCL shall recover this amount from the concerned responsible employees.
- 7) The compliance of the order shall be reported to the Forum within 30 days.

Sd/-
Dr.Bhaskar.G. Palwe
Chairman

Sd/-
Vilaschandra.S. Kabra
Member

Sd/-
N.R.Gandhale,
Member / Secretary