

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE AURANGABAD

Case No. CGRF/AZ/Aur/U/497/2014/18

Date of Filing 11.04.2014

Date of Decision 11.06.2014

Omicron Engineering Services,
Plot No. M-23, M.I.D.C., Waluj
Aurangabad Through Shri Yogesh Shantaram Bhogal,
Occ. Business, Aurangabad
(Consumer No. 490011017131) -----

Complainant

V/s

- 1) The Executive Engineer (Administration)
Nodal Office, O/O Superintending Engineer ,
O&M Urban Circle, M.S.E.D.C.L.,
Aurangabad. ----- Respondent No. 1
- 2) The Dy. General Manager(Planning)
GTL Ltd., T-9 Software Technology Park,
MIDC Chikalthana, Opp: ESI Hospital,
Aurangabad. ----- Respondent No. 2

Sub: - Grievance under the Maharashtra Electricity Regulatory

Commission, (Consumer Grievance Redressal Forum
and Ombudsman) Regulations 2006

CORAM

Shri V.S. Kabra
Shri C.R. Mishra ,

Member
Member/Secretary.

COMPLAINANT submits that -

- 01) The complainant M/s. Omicron Engineering Services is an L.T. Industrial consumer with consumer no. 490011017131.
- 02) The average consumption for earlier meter was showing an average consumption of 400 units per month. No dispute was raised for this meter consumption at any point of time earlier. M/s. GTL replaced the earlier meter by meter bearing no. 053-11237424 on 27/06/2013 without any request.
- 03) The consumption of the new meter shows 2785 & 2583 units for the month of July-13 & August-13 respectively. The complainant had lodged complaint regarding these two bills with GTL. The new meter shows a normal average consumption 400 units per month after the disputed bill period.
- 04) The complainant requested for revision of bills since 07/12/2010 based on the consumption of new meter.
- 05) The complainant had approached M/s. GTL's IGRC and hearing was carried out. The IGRC cell of M/s. GTL has passed the order based on materials or reports which were never placed on record during hearing. No document submitted by GTL authorities was ever given to the complainant during IGRC proceeding. The IGRC order dated 07/12/2013 was served upon the complainant on 13/03/2014 through courier. No reason was given for delay in service.
- 06) On 14/01/2014 the new meter was tested on site & found to be O.K. by GTL. The old meter was tested by M/s. GTL in their laboratory on 07/02/2014 & found O.K. as per their report. On 08/02/2014 once again the new meter was tested on site & found to be O.K. During testing M/s.GTL has done some modification but not disclosed the same.
- 07) M/s. GTL has never given any meter testing report or meter replacement report to the complainant. Probably on 16/09/2013 under the pretext of meter testing or inspection some repairs or setting is done by M/s. GTL.
- 08) The complainant has paid Rs. 20,000/- as part payment as per IGRC instructions.
- 09) The complainant has prayed for following reliefs
 - a. To revise the bills of demand from 07/12/2010 till date as per new consumption.
 - b. To hold bills of August & September 2013 null & void.
 - c. To direct M/s. GTL for change of name.
 - d. To award cost of Rs. 5000/-

(OPPONENT NO. 1, Submitts that)

- 01) M/s. MSEDCL in its say has mentioned that the area of Aurangabad (Urban) Circle has been handed over to M/s. GTL w.e.f. 01/05/2011 & M/s. GTL will submit the say for the grievance.

(OPPONENT NO. 2, Submitts that)

- 01) The complainant is a Industrial Consumer situated in MIDC, Waluj
02) The bills can't be revised from 07/12/2010 as there is no complaint.
03) The complainants request to hold the bills of August & September 2013 null & void and doesn't has any merit.
04) The complainant has been directed to submit change of application to CSC.
05) The instantaneous report shows that the program count is zero & hence the allegation of modifications is false.

OBSERVATION

The forum has heard the arguments of both parties in detail & gone through the documents submitted by both parties.

The tamper report for the meter no. 11237424 doesn't has any tamper event which will show that either the complainant or respondent have done any interference with the meter. Also the Instantaneous report printout shows that the program count is zero.

The MRI report submitted by M/s. GTL doesn't contain the report of the disputed period.

It is seen from the CPL that the rise in consumption is immediately after the replacement of the meter. As per GTL the old meter is also normal & the error percentage is within normal limits. The complainant has submitted complaint for high bill on 05/08/2013 immediately after receiving the bill. Second complaint is submitted on 13/09/2013 but doesn't has acknowledgment. M/s. GTL has responded positively by checking the meter immediately. During checking of meter for high billing complaint it is expected that the utility should carry out survey of the premises and check the connected load.

The forum had asked GTL to submit the present meter (Sr. No. 11237424) seal detail from site as well the details while replacement. M/s. GTL has submitted both reports. It is seen in the replacement report the Meter body seal no. are not provided. Also GTL has not provided any register which will show the body seal numbers. The current meter body seals are 3510814, 3510813, 5503802, L&T 8243424.

Complainant has made allegation that GTL may have done some modification in the meter. This contention of the complainant can't be accepted as the program count of the meter as on 05/12/2013 is 'Nil'.

IGRC of GTL has observed that the high consumption is due to some internal fault of complainant premises. IGRC has failed to observe that no such remark has been put by GTL personnel in testing report of meter. Verbal contention can't be accepted. GTL has also not made any comment regarding complainant's say that he has been given the decision copy with abnormal delay. Hence it is accepted to be true.

It is not acceptable that any consumer would start using additional load immediately after replacement of meter. The complainant has lodged complain with M/s. GTL in time. M/s. GTL has not carried out survey during testing of meter & also not put up any remark regarding internal fault.

Hence the forum feels that the complainant has a valid point in his complaint. The forum is of the view that the bill for the month of July & August 2013 should be revised as per average consumption of previous 12 normal bills i.e. 673 (8076/12) units per month as per MERC guidelines. The complainant's prayer that the bills should be revised from 07/12/2010 as per present consumption is not acceptable. Also since GTL has also taken timely action of testing the meter no cost is to be awarded.

As regards change of name the complainant has not even submitted the application & hence GTL can't be instructed in this matter. The request is premature.

The forum passes the order as under:

ORDER

- 1) GTL should revise the bills for the month of July-13 and August-13 at 673 units/month.
- 2) Proportionate waiver of DPC & interest should be given upto the revision of bill.
- 3) Complainant should submit change of application as per rules.
- 4) The case is dismissed with no cost.

Sd/-
(V.S. Kabra)
Member

Sd/-
(C.R. Mishra)
Member/Secretary

