

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

Case No: CGRF/AZ/AUR/50/2007/19  
Date of filing: 21.06.07  
Date of Decision: 13.07.2007

Shri Vijay V. Deo. The consumer  
24, Suryadeepnagar, Satara complainant.  
Aurangabad.

Vs.

Maharashtra State Electricity Distribution Co.Ltd.

The Distribution  
Licensee.

**Coram :**

Shri R.K. Pingle: Chairman  
Shri A.N. Sonwane: Member Secretary  
Shri H.A.Kapadia: Member

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

The consumer complainant Shri Vijay V. Deo ,r/o Suryadeepnagar,  
Satara, Aurangabad , has filed his grievance in annexure "A" on 21.06.07  
under Regulation No.6.10 of the Regulations 2006 . A copy of the  
grievance was forwarded on 21.06.07 to the Nodal Officer and Executive  
Engineer (Adm.) , in the office of the Superintending Engineer ,  
M.S.E.D.C.L. Urban Circle, Aurangabad with a request to furnish his  
response within 15 days from the date of receipt of the letter and the  
hearing in the matter was fixed on 12.07.07 .

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

The consumer has taken electricity connection for residential purpose and  
till Oct. 2005, the bills were issued by the Distribution Licensee  
( hereinafter referred to as D.L.) regularly as per residential tariff .  
However for Oct.2005, the D.L. has issued him bill by charging the  
commercial tariff. On his complaint he was asked to pay part amount of  
the bill, which he paid..

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The consumer has contended that on 19.12.2005 the concerned authority of the D.L. inspected the spot and submitted report that the shop is closed i.e. is lying vacant.. Also in the inspection report dt.03.02.06, the inspecting authority of D.L. recommended to charge the bill as per residential tariff. As per contention of the consumer he has visited the office of the D.L. number of times but his bill has not been revised till 21.6.07. He therefore filed this grievance with the Forum and requested the Forum to direct the D.L. to revise the bill as per residential tariff and to adjust the excess amount paid by him in next bills and to pay compensation towards mental torture.

On the date of hearing i.e. 12.07.07, consumer was present through his son Shri Vaibhav. Nodal officer Shri Pawar was present on behalf of D.L. The Nodal officer did not file his response ,however submitted an application stating that he has not received the details from lower office and hence it is difficult to submit reply and to represent the case. The contention of the Nodal officer can not be accepted in view of the fact he has been given more than three weeks time to file his response. The case was therefore reserved for decision.

We have gone through the grievance of the consumer and copies of the documents filed by the consumer. After going through the copies of the electricity bills filed by the consumer ,we observe that the consumer was released electricity connection for residential purpose on 6.9.99 and was allotted consumer No. as 490011432724 by the D.L. Accordingly all the bills till Sept.2005 were issued as per tariff applicable for residential purpose. However the bill for the period 30.09.05 to 30.10.05 for Rs. 4620/ was issued as per commercial tariff. After going through the said bill it is revealed that the consumption during this month was 176 units and the same has been charged as per commercial tariff, moreover fixed charges as Rs. 100/, bill adjustment of Rs. 3000/ with interest of Rs.19.87/ is also charged in the said bill. The consumer on receipt of this bill wrote a letter on 19.11.05 to the Dy. Ex. Engineer , Chavani for correction of the bill. The inspection of the installation of the meter was carried out by the Jr. Engineer, Rly. Stn. unit on 3.2.06. The said inspection report discloses the position of meter as- working, body seal- O.K. , meter No. – 126620 and meter reading as 09018. The Jr. Engineer in its report , in remark column, has also mentioned that “ there are two shutters which are not in use since long. Hence predominant use is for residential purpose. Hence recommended for change of category from “C” to “R”. The said report is also signed by the Dy. Ex. Engineer ,Chavani sub division.

The inspection of the premises of the consumer appears to have been conducted on 16.12.05 by some authority of the D.L., (signature being illegible) . In this report also it is mentioned that the premises contain two room kitchen and shop with two shutters, but the shop is vacant. The consumer, in spite of this inspection report, continued to receive the bill as per commercial tariff and no revision of the bill was carried out by the concerned officers of the D.L.. The consumer also appears to have executed a bond in favour of Dy. Ex. Engineer on non judicial stamp of Rs. 20/- that the shops are lying vacant and that he will take a commercial meter when the shop will be put to use. He therefore requested to revise his bills as per residential tariff. However even then , the D.L. did not revise the bill and continued to charge the bill as per commercial tariff.

In light of the above observations, we are of the opinion that the consumer is using electricity supply for residential purpose only and he should be billed as per tariff applicable for residential consumers. All the bills from Oct.05 onwards till today are therefore required to be revised . Therefore the bills from Oct.05 onwards given to the consumer deserve to be quashed . Hence the following order.

#### **ORDER**

1. All the bills from Oct. 2005 onwards are quashed .The Distribution Licensee is directed to revise the bills by charging residential tariff instead of commercial tariff.
2. The D.L. shall issue the revised bill within a period of one month from the date of this order. The amount paid by the consumer towards the electricity bills during this period shall be given set off while revising the bill.
3. The D.L.is directed to pay compensation of Rs. 250/- to the consumer for the inconvenience and harassment caused to him.

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

Inform the parties and close the case

**( H.A.Kapadia)**  
Member

**( A.N.Sonwane)**  
Member secretary

**( R.K.Pingle)**  
Chairman