

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD

Case No. CGRF/AZ/JLN/2005/06.

Date of Filing: 05/08/2005.

Date of decision: 06/09/2005

M/S Union Krishak Seva Sahakari Sanstha Ltd. -- The Consumer
Ramnagar, Tal. & Dist.Jalna. Complainant.

V/s

MAHARASHTRA STATE ELECTRICITY BOARD,
(Now known as Maharashtra State Electricity Distribution Co.Ltd)

The Distribution Licensee.

Sub: Grievance under the Maharashtra Electricity Regulatory Commission,
(Consumer Grievance Redressal Forum and Ombudsman) Regulation
2003.

The consumer complainant Union Krishak Seva Sahakari Sanstha Ltd.,(consumer No. 512420194081) running a business of cotton Ginning at Ramnagar, Jalna has filed its grievance in Annexure “ A “ before this Forum on 05.08.05. under regulation No. 6.5 of the Regulation 2003. A copy of the grievance was forwarded on 05.08.05 to the Nodal officer and Executive Engineer (Adm) in the office of the Superintending Engineer, Jalna with a request to furnish his response on or before 23.08.05 and hearing in the matter was fixed on 25.08.05.

The grievance of the consumer, in brief is that the cotton ginning unit of Union Krishak Sahakari Seva Sanstha,Ltd. Ramnanagr, Tal, Dist. Jalna (herein after referred to as “ **The society**”) was closed from January 2003 to January 2005 and therefore the use of electricity was limited but the Distribution Licensee (herein after referred to as(“**The D.L**”) instead of giving the bills on actual units has given bill on average basis . The bill given on 17.8.2004 was for Rs. 2,07,000/-. The consumer has represented against the faulty bills so received from 7.10.2004 to 12.4.2005 to the concerned officials of D.L. number of times , but in vain. The contention of the consumer is that as per meter reading he should have been charged for 7841 units and no interest or DPC should be charged .

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The Executive Engineer & Nodal Officer has filed his response on the grievance on 24.8.2005. The Nodal officer has denied the contention of the consumer that the Ginning unit was closed from January 2003 to January 2005. The Nodal Officer in his report has stated that the consumer in January 2003 has consumed electricity to the extent of 9141 units and 9073 units in February & March 2003. The Nodal officer has also admitted that on 31.7.2004 , the bill for Rs. 2,07,000/ has been given on meter reading 49224 and Rs. 16109/ is charged as interest therein.

The Nodal officer has further admitted that this incorrect bill is given because of the rejected status given by the computer. On application of the consumer dt.4.1.2005 for rectification of the bill, the bill from August 2003 to May 2004 was rectified after seeking sanction from superiors & a set off of Rs. 92018/ was given to the consumer .The consumer on 4.4. 2005 credited Rs. 60000/ with the D.L. .The Nodal officer has further admitted that the rectification of the bill should have been done from April 2003 but it was done from August 2003 and proposal to that effect has been sent to the superiors.

On the date of hearing i.e on 25.8.2005 , the Nodal officer was not present on behalf of D.L. The representative of consumer was present. The consumer & the Nodal officer has not filed copy of the CPL. The representative of the consumer filed an application , copy of which was ordered to be given to the Nodal officer with a direction to file reply thereto on the next date of hearing and the hearing was adjourned to 1.9.2005.

The society has filed its grievance in Annexure "A" mentioning consumer No. 512420194081. But however some of the correspondence made by the society with various officials of the D.L discloses that besides consumer No. stated above ,the society has also mentioned some grievance relating to consumer No. 512420010835, but all necessary details relating thereto have not been given. Moreover as stated above since the grievance of the consumer in Annexure "A" has been filed relating to consumer No 512420194081., in the present proceedings grievance relating to the this consumer No. only is considered.

On next date of hearing i.e. on 1.9.2005, the consumer representative as well as Nodal Officer was present on behalf of D.L. The representative of the consumer as well as Nodal officer filed their say.

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On 1.9.2005 ,the consumer as well as the Nodal officer filed copy of CPL relating to consumer No. 512420194081. Though the Nodal officer in his report 23.8.2005 filed on 24.8.2005 has initially contended that the contention of the society that the ginning unit was closed from Jan.2003 to Jan. 2005 is incorrect and has used electricity of 9141 & 9073 units for Jan.2003 & March 2003 respectively , has further admitted that the bill ending July 2004 to the extent of Rs. 2,07,000/ has been given because of rejected status given by the computer. On going through the CPL, we find that from Jan.2003 to June 2003 reading of the meter was not taken and from July 2003 to Jan 2004 the reading was rejected by the computer. From Feb.2004 to May 2004, either entry of RNT (Reading Not Taken) or REJ (Rejected) is shown on the CPL. The CPL also discloses faulty status of the meter in Sept.2004. Thereafter from Oct.2004 to April 2005,CPL discloses that no meter reading has been taken. Irrespective of the fact that either meter reading was not taken or the reading was rejected by the computer, bill on average basis was given which amounted to Rs.2,07,000/ in August 2004 and to Rs.2,55,106/ in Jan.2005. The Nodal officer in his report dt.23.08.2005 , contrary to his contention in earlier part of the report, in later part has accepted that incorrect bill was given to the society and on his application, for the period of August 2003 to May 2004, the bill was rectified and a set off of Rs. 92018/ was given to the society. The contention of the consumer is that in May 2003, the meter reading was 41383 and that in Nov.2004 the same was 49224 and that he is liable to pay electricity charges confined to the difference between these two readings i.e.7841 units. The Nodal officer as mentioned in his report, after realising that the bill should have been rectified from April 2003 but the same has been rectified from August 2003, has accepted the contention of the society and further stated in the report that a proposal charging the society bill for Rs. 7148 units i.e. for Rs. 38575/ has been sent to the Chief Engineer and after receipt of the approval thereto ,the rectified bill will be issued to the society.

The contention of the society that it should be charged for difference between the two readings stated above ,i.e. 7841 units has been accepted by the D.L. The inflated bill for the disputed period was given to the society because it was based on average billing irrespective of the fact that the ginning unit was closed.

Considering all the aspects mentioned above, we are of the opinion that the grievance of the consumer is correct and deserves to be redressed. The society has already been given set off of Rs. 92018/ for part of the disputed period. It is therefore directed that the D.L. shall charge the society for 7841 units for the entire disputed period . No DPC or Interest should be charged for this period . Similarly payments made by the society and set off given by the D.L. should also be taken into account while giving the final rectified bill for the disputed period. Hence the following order.

ORDER:

The Distribution Licensee is directed to issue finally rectified bill for the disputed period in light of the observations made above, to the society and the society is also directed to pay the bill within a period of 15 days from the date of receipt of the bill.

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

(V.G.JOSHI)
Member Secretary

(R.K.PINGLE)
Chairman

