

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, M.S.E.D.C.L., AURANGABAD.

(Case No: CGRF/ AZ / Aur / U / 370 / 2012 /03)

Date of Filing: 06.02.2012

Date of Decision: 07.06.2012

- 01) Shri Shivraj Kisanlal Baldawa,
Age 70 Years Occupation . Nil ,
R/o House No.4-8-39,
Diwan Deodi, Aushadhi Bhawan,
Aurangabad. Consumer Complainant.
(Consumer No. 490010550812).

V/s

- 02) The Executive Engineer (Admn.) Respondent No.1
Nodal Office, Urban Circle, MSEDCL,
Aurangabad.
- 03) The Dy. General Manager, Respondent No.2
GTL Limited, CIDCO,
Aurangabad.

Coram:

Shri V.B. Mantri President
Shri V.S. Kabra Member

JUDGEMENT

- 01) The complainant has submitted this complaint against the bill of Rs.5,16,990/- issued on 29.09.2011.
- 02) The case of the complainant in brief is that, he had applied for residential use of electricity. He paid all of his electricity bills up to 10.02.2010. He however noticed in the month of Jan.2010, that electricity duty @ Rs.150 P.M. was being charged to the complainant as against @ Rs.30/- which was being charged to his relatives. He thereby made enquiry and learnt that, the bills were being issued to him as per commercial tariff instead of residential

tariff. The complainant therefore ceased to pay the bills with effect from March 2010.

- 03) It is the case of the complainant that, he is doing no business. The bills should have been issued as per residential tariff.
- 04) The complainant pleaded that, He was in arrears of bill to the tune of Rs.1982.46 paisa as per bill issued in the month of Feb.2010. He however by mistake understood to be bill of Rs.19000/- and thereby paid Rs.16250/-. He thereby paid excess amount of Rs.14,000/-. The respondent should have shown the said amount in credit of the complainant, but the bill of Rs.8190.42 paisa was issued in the month of March 2010 and consumption of 1064 units had been shown.
- 05) It is further case of the complainant that, his meter was changed on 08.02.2010. Necessary legal formalities however not followed during change of meter. No Panchnama was drawn. The bill of Rs.5,16,990 was issued on 29.09.2011.
- 06) The complainant submitted that, reading of meter while changing it was 8447, but false bill of exorbitant amount of Rs.5,16,990/- has been issued. He never consumer energy of such amount. The respondent has illegally claimed arrears of 65 months. The bill has been issued on commercial tariff instead of residential tariff. Additional charges, interest etc .has been charged illegally. The said bill be therefore cancelled. Complainant is ready to pay lawful bill w.e.f. Feb.2010 as per meter reading. He had filed his grievance before I.G.R.Cell, but the Cell without considering evidence dismissed his grievance. Hence the grievance before this Forum.
- 07) The respondent MSEDCL has submitted reply dated 18.02.2012 and thereby submitted that meter of the complainant was changed on 08.02.2010. The meter reading at the time of changing the meter was 91299. It is pleaded that due to manual mistake, the reading came to be recorded as 9130 instead of 91299. The complainant has consumed electricity of 83233 units during 27 months. The respondent as such corrected the bill and issued corrected bill in the month of Sept.2010 for balance 82852 units amounting to Rs.4,15,076.74 paisa
- 08) The respondent GTL has submitted reply on 05.03.2012 and thereby pleaded that, the complainant was in arrears of Rs.4,46,572.09 paisa in the month of April 2011. The complainant did not make payment of unpaid bill. The complaint be therefore dismissed.
- 09) We have heard submissions of Mr. Kale the representative of the complainant. The Nodal Officers of respondents argued for respondents
- 10) It has been submitted on behalf of the MSEDCL that, the meter reading in fact was in five digits, but the reader of meter took the

reading in four digits. He placed reliance up on working sheet and office noting 07.04.2010, another office notings 30.05.2010, dated 19.05.2010. The Nodal Officer then relied upon C.P.L. of the complainant.

- 11) Mr. Kale for the complainant argued that, the complainant has paid the bills regularly till 10.02.2010. The complainant is not doing any business. He paid by mistake the bill of Rs.19000/- instead of 1982.46 paisa. The complainant however received bill of Rs.5,16,990/- on 29.09.2011. The said bill be set aside.
- 12) The Xerox copy of bill dated 29.09.2011 is filed by the complainant. As per the contents of the bill, electricity charges have been shown as 4329.00 arrears have been shown as 7996/-. The sum of Rs.4,51,490.79 paisa has been shown towards average arrears of electricity consumption bill. The amount payable as such is shown to be 5,16,990/- including other charges.
- 13) It is the contention, as per office-note dated 07.04.2010 that, the reading during the period April 2001 till Dec.2007 has been shown less reading. The meter reader has taken less reading than actual reading. It has been further submitted that as per office noting dated 30.05.2010, the meter reading in fact was in five digits but the meter reader recorded it as in four digits. The meter reading during the span of Jan.2008 till Feb.2010 has been shown as 135 units continuously. The consumption however was in increasing mode. Final meter reading at the time of change of meter was 91299 but it was shown as 8447.
- 14) The copy of meter change form is produced. As per its contents, the meter was changed on 08.02.2010. As per the details of old meter, shown on such form the meter reading 91299 has been shown. The form bear signatures of representatives and officers of MSEDCL. The reading is regarding old meter of the complainant bearing meter No.490010550812. It however reveals that the billing was carried out based upon meter reading as if 8447. It is therefore clear that, the complainant could not be billed for 82852 units. As per the report of Junior Engineer dated 05.03.2010, it reveals that, the power was being used for commercial purpose. The complainant had received the details of such use of power on 09.03.2010. It further reveals that the Nodal Officer has carried out spot inspection on **17.10.2011** and found meter stopped at the reading 4349 Kwh.
- 15) We have perusal the C.P.L. record w.e.f. Jan.2006 meter status appears to have been shown as **“Locked” continuously from Feb.2007 and from Jan.2008 till Sept.2009 and then recorded as reading not available till Feb.2010.** Admittedly the complainant did not make payment of bills w.e.f. March 2010. Therefore in case average consumption of the complainant is taken into account, and in case entire record is perused coupled

with the submissions so made on behalf of respective parties, and in case last reading so recorded on meter change form at the time of change of meter, the mistakes done by the reader of meter, while recording meter reading, and the bills issued on the basis of such mistaken reading. We are of the opinion that, the respondents are entitled to recover the charges of electricity consumed by the complainant. The complainant did not produce any bill or document to appreciate that, his connection was for residential purpose and bill was at any point of time was issued as per residential tariff. The complainant did not dispute the inspection report dated 05.03.2010 during which inspection party found the use of electricity for commercial purpose. Average use of complainant as recorded in C.P.L. support contention of the respondents. The complainant can not take benefit of wrong reading taken by the meter reader. He is bound to pay to which he has enjoined. This Forum found no ground to believe that, the complainant must have by mistake paid the sum of Rs.19000/- as against the bill of Rs.1982.46 paisa. There is no explanation as to how last reading 91299 appeared in meter changing form. The said entry report of reading is not disputed. This Forum thereby found no merits in the complaint of the complainant. This Forum therefore proceed to pas the following order.

ORDER

- 01) The complaint is hereby dismissed.
- 02) No order as to costs or compensation.

Sd/-
(V.S. Kabra)
Member

Sd/-
(V.B. Mantri)
Chairperson