

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD.

Case No. CGRF / AZ / AUR / Urban / 569 / 2015 / 32

Date of Admission 15.12.2015

Date of Decision 16.02.2016

Smt. Bodhak Sita Ganpat, COMPLAINANT.
R/o Ganesh Nagar, Ploat No. 40,
Khandelwal Nagar, Padegaon,
Dist. Aurangabad.
Consumer No.(490061637423)

VERSUS.

1. Executive Engineer (Admn), RESPONDENT
Urban Circle, Nodal Officer,
MSEDCL, Aurangabad.

CORAM:-

Shri Dr.Bhaskar .G. Palwe Chairman
Shri U.M. Urkude, Member/Secretary
Shri Vilaschandra .S.Kabra Member.

Redressal Decision :-

The complainant Smt. Bodhak Sita Ganpat, R/o Ganesh Nagar, Plot No. 40, Khandelwal Nagar, Padegaon Dist. Aurangabad is of Complainant. Complainant is a consumer of M/s. M.S.E.D.C.L. , Aurangabad having consumer No. 490061637423. The Complainant has filed an application against Respondent, Executive Engineer (Admn) Nodal Officer, Urban Circle, M.S.E.D.C.L. Aurangabad on

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15.12.2015 in Schedule " A " of the Maharashtra Electricity Regulatory Commission (Consumer Grievances Redressal Forum and Electricity Ombudsman) Regulation, 2006 .

The brief details of the complaint are as under :-

The complainant has submitted that bills issued for excess reading than actual reading appearing in meter from March 2014 onwards with status of meter on " Faulty " and average bill of 197 units per months till October 2015. Prior to February 2014, same abnormal bills of " In access " and average were issued without taking actual meter reading . The reading recorded in meter is not taken but excess reading is shown on bills wrongly as 8624 as progressive reading from March 2014 onwards till November 2015.

The complainant has approached the Respondent several times but the abnormal bills were not corrected. On 06.07.2015 the complainant had lodged a complaint in writing to Additional Executive Engineer, M.S.E.D.C.L. Chhavani Sub-Division, Aurangabad for revision of the abnormal bill. On this complaint , Assistant Engineer, M.S.E.D.C.L. Chhavani had carried out spot inspection of the premises and meter (in presence of the consumer) on 30.07.2015. He checked the meter No. 963125 and recorded the reading on this inspection report as 3937 appearing on the meter on the date of inspection. The Assistant Engineer, M.S.E.D.C.L. Chhavani, Sub-Division, has given following remarks dated 30.07.2015.

"Wrong reading case. Please issue correct bill " .

On 07.12.2015 , the meter was removed illegally and the supply was disconnected permanently by M.S.E.D.C.L. Chhavani Sub-

Division without giving any notice under the provision of the Electricity Act 2003 and without the revision of my abnormal bills. This illegal permanently disconnection and removal of meter is violation of directives of M.E.R.C.

The complainant has submitted that due to above circumstances he has been put to mental torture, harassment and mental agony and kept in dark without electricity. Therefore the complainant has prayed as under :-

1) The complaint of complainant may be allowed.

2) Additional Executive Engineer ,M.S.E.D.C.L. Chhavani Sub-Division, may be directed to restore the power supply immediately which is permanently disconnected (illegally) by removing my meter without notice under Electricity Act. 2003.

3) Additional Executive Engineer, M.S.E.D.C.L. be directed to revise my abnormal bills of average and in access reading during 2011 to 2015.

4) Additional Executive Engineer, M.S.E.D.C.L, Chhavani, Sub-Division be directed to issue revised bill as per spot inspection report of Assistant Engineer, M.S.E.D.C.L. Chhavani Sub-Division dtd. 30.07.2015 for the reading taken as 3937 instead 8624.

5) M.S.E.D.C.L. Chhavani, Sub-Division be directed to withdraw the interest charged on illegal abnormal bill during the year 2011 to 2015.

6) Penalty / fine for violation of provisions of Electricity Act 2003 and M.E.R.C. directives be imposed for this illegal permanently disconnection of my supply and delay in revision of my bill.

7) Compensation of Rs. 10,000/- be paid to consumer for mental torture, harassment, keeping me in dark without electricity mental agony due to illegal permanently disconnection of my supply .

8) Any other appropriate relief under the provision of law deem fit by the forum.

Say of Executive Engineer (Admn) Nodal Office, Urban Circle, MSEDCCL, Aurangabad.

- 1) The respondent, Executive Engineer (Admn) has submitted vide his letter on dtd. 04.01.2016 that , consumer has not made any payment since 18.04.2012.
- 2) The Additional Executive Engineer, M.S.E.D.C.L. Chhavani had Issued disconnection notice to Smt. Sita Ganpat Bodhak on 08.06.2015 through the Line Staff , but returned by Line Staff with a remark that consumer is not ready to accept notice .
- 3) Latter on application was given by Smt. Sita Ganpat Bodhak, regarding faulty and excessive billing. Spot inspection was called from Assistant Engineer, Chhavani Sub-Division. As per spot inspection report on 30.07.2015, meter reading is 3937. Actually reading given by Assistant Engineer in spot inspection report was already over come in monthly reading of November 2011 itself . Also thereafter continuous progressive reading was given upto February 2014. Hence revision was not possible , CPL is attached.
- 4) As the consumer had not paid bill since 18.04.2012, Assistant

Engineer , Chhavani disconnected the supply on 07.12.2015 and removed meter.

- 5) Also the reading at the time of disconnection and removal of meter was noted as 5097 and that on 30.07.2015 was 3937 . From above , the consumer had consumed 1160 unit in approximately 4 months with an average of 290 units per month which is much more than average units billed.
- 6) That as there is contraction in reading between given by Assistant Engineer, Chhavani and reading noted in CPL upto February 2014, above meter had been send to testing and data retrieval at resting division , Aurangabad and due revision in bill will be done as per findings of testing.
- 7) On consumers application dtd. 09.12.2015 at M.S.E.D.C.L. Sub Division, Chhavani, and as the issue of testing of meter was pending , the consumer was reconnected on 12.12.2015, after payment of provisional amount of Rs. 10,000/- . Hence it is prayed that, M.S.E.D.C.L. Chhavani is ready to act as per testing report and details of data retrieval of meter , the above complaint may be dismissed.

The Respondent vide his letter dated 16.02.2016 has submitted that as per testing report the meter error is found to be 0.99 % .

As per CPL above consumed was billed as per reading upto August 2011. In September 2011, Consumer was billed with a status RNA, again in month of November 2011 & December 2011. Billing was done with normal status & January 2012

onward upto February 2014 billing was done with normal status from March 2014 to August 2015 onward again billing done with faulty status.

Hence billing is revised from September 2011 with reading 3850 and reading 3937 on dated 30.07.2015. For four months from August 2015 to November 2015 consumption is 1160 units. Hence bifurcating above units in four months, calculation of bill is done upto October 2015. The credit to consumer against energy bill is Rs. 43,520/- and against interest is Rs. 18,000/-. As such credit to the consumer is Rs. 61,520/-

Observations of Consumer Grievances Redressal Forum.

- 1) The consumer was not billed as per actual reading from September 2011 to 30.07.2015. Consumer was billed excessive . As per MERC (Standards of Performance of Distribution Licensees, period for giving supply and determination of compensation) Regulation, 2014 under Sr.No. 8 of the appendix " A " M.S.E.D.C.L. shall pay Rs. 200/- per month from October 2011 till the issue of the correct revised bill to the consumer .
- 2) The complainant have lodged a written complaint on 06.07.2015 to M.S.E.D.C.L. regarding revise the incorrect bill.

However, M.S.E.D.C.L. did not revise the bill on actual meter reading till the complainant approached the forum. Therefore as per M.E.R.C. Regulations, 2014 the M.S.E.D.C.L. shall pay a compensation to the consumer Rs. 100/- per week since 06.08.2015 till the issue of the revised corrected bill to consumer.

- 3) The complainant was harassed, mentally tortured . Therefore M.S.E.D.C.L. shall pay the compensation of Rs. 5000/- to the consumer.

In view of the submission made by the complainant and respondent during hearing and the observations of the forum, the forum is in the process of issue following order.

ORDER

- 1) The complaint is partially allowed.
- 2) The M.S.E.D.C.L. shall issue a revised corrected bill from September 2011 to the consumer as per the actual meter Reading taken during spot inspection report of the Assistant Engineer, M.S.E.D.C.L., Chhavani on 30.07.2015 with 3937 units instead of 8624 units.

- 3) No interest shall be charged to consumer on the revised corrected bill.
- 4) As per M.E.R.C. (Standards of Performances of Distribution Licensee, period for giving supply and determination of compensation) Regulation 2014 under Sr.No. 8 of the Appendix " A " the M.S.E.D.C.L. shall pay Rs. 200/- per month from October 2011 till the issue of the correct revised bill to the consumer.
- 5) As per M.E.R.C. (SOP) Regulation 2014, M.S.E.D.C.L. shall pay the compensations of Rs. 100/- per week or part thereof from 06.08.2015 till the issue of corrected revised bill under Sr.No. 6 (ii) of the Appendix " A " .
- 6) M.S.E.D.C.L. shall pay the compensation of Rs. 5000/- for mental torture, harassment and mental agony to the complainant.
- 5) The Compliance of the order shall be reported within 30 days.

Sd/-
Dr.Bhaskar.G. Palwe
Chairman

Sd/-
Vilaschandra.S. Kabra
Member

Sd/-
U.M. Urkude.
Member / Secretary

