

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 21/2015

The President
Anudanit Ashram School
At.Po.Kelzar, Tq.Mul
District - Chandrapur.

Complainant

,,VS.,

1. Executive Engineer,
MSEDCL,O&M Division,
Chandrapur.

2. Executive Engineer/Nodal Officer,
I. G. R. C., Circle Office,
MSEDCL,Chandrapur.

Respondents

Applicant represented by 1) Nobody present

Respondents represented by 1) Shri V.P.Deshpande, Additional Executive Engineer,
Chandrapur

CORAM:

Shri Vishnu S. Bute, Chairman.
Adv. Gauri D. Chandrayan, Member
Ms. S. B. Chiwande, Member-Secretary.

JUDGEMENT

(Delivered on this 16th day of March, 2015)

2. Applicant, the President, Anudanit Ashram School, At.Po.Kelzar, Tq.Mul, Dist.Chandrapur is having a three phase connection. It's consumer no. is 450958020649. According to the applicant the respondent gave average bill for a long time. A complaint was also given to the respondent that the meter installed in the school is faulty. Thereafter the respondent issued the bill. The bill is enormous and wrong. The applicant approached the IGRC, Chandrapur. The IGRC passed order under no.236 dated 16-01-2015. The IGRC directed the Dy.Executive Engineer to recheck the bills. The applicant was allowed to deposit the energy bill in four

installments. Feeling aggrieved by this order the applicant approached this Forum under the provision contained in Regulation 6.4 of the MERC (CGRF & EO) Regulations 2006 on 25-02-2015.

3. The respondent submitted reply under no.EE/O&M/Dn/CHD/1063 dated 12-03-2015. The case was fixed for personal hearing on 16-03-2015. Neither the applicant nor his representative was present. So presuming that the applicant has nothing to add anything more than his application the case was closed for order on merit. Shri V. P. Deshpande, Additional Executive Engineer, Chandrapur was present for the respondent. He referred to the written reply dated 12-03-2015.

4. In written application dated 25-02-2015 the applicant stated that it is a Government aided Ashram School. The meter installed in the school was faulty. So a complaint was submitted on 24-01-2012. The applicant requested to change the meter. However no action was taken on this application. The flying squad of the respondent visited the school on 25-06-2013. A bill of Rs.2,48,251/- was issued to the applicant. The respondent did not investigate about complaint of the faulty meter. In fact the students did not use the fans in winter. After annual exams the students go home. So the consumption is very less.

The bill issued by the respondent was wrong. The applicant requested for installment of Rs.10,000/- per month. However the request was not considered. The Assistant Engineer, Mul disconnected the supply.

The applicant approached Honourable High Court. As per the orders of

Honourable High Court the applicant deposited Rs.50,000/-. Thereafter the power supply was restored.

There was no fault on the part of the applicant. The flying squad inspected the premises unnecessarily. The bill of Rs.2,48,251/- is illegal and wrong. The bill was issued without giving an opportunity of hearing, to the applicant.

Finally, the applicant requested to set aside a order passed by the IGRC dated 24-12-2014. The applicant requested to set aside the bill of Rs.2,48,251/-. The applicant also requested to order an disciplinary action against the officer who did not take action about the complaint filed by the applicant.

5. Shri Deshpande reiterated to the reply dated 12-03-2015. It was further stated that the electric meter was installed inside the school building. So the meter reader could not take the reading. The meter was shown either inaccessible or faulty.

Flying squad visited the premises of the applicant on 26-06-2013. The meter was found to be o.k. The meter reading was 36801. So presuming the reading of 36801 as correct, a bill of Rs.2,48,251/- was given to the applicant. A representative of the consumer was also present at the time of inspection. The applicant did not raise any objection about the meter reading. The applicant only requested for the installments to pay the bill amount.

The applicant deposited Rs.50,000/- on 02-07-2014 as per the orders of Honourable High Court, Nagpur.

The Dy.Executive Engineer, Mul visited the school premises on 17-10-2014. He inspected the meter. The meter reading was 45494. The applicant was directed to pay

the arrears and the current bill. At present the applicant is in arrears of Rs.2,78,000/-. The IGRC Chandrapur already gave him the installments to pay the bill amount. The amount of electricity bill calculated by the respondent is correct. The order passed by IGRC is proper. The application may be dismissed.

On enquiry by the Forum Shri Deshpande clarified that initially the bill of Rs.2,48,251 was given to the applicant. It was as per commercial rate. During the pendency of the case the tariff is changed. The applicant is placed in L 10 category. The bill was recalculated and at the time of order passed by the IGRC Chandrapur the bill was calculated to Rs.2,21,180/- Shri Deshpande also clarified that the delayed payment charges are included in the bill. However the slab benefit is already given to the applicant.

6. We have perused the record. We have heard the argument advanced by the respondent. The Xerox copy of the application dated 24-01-2012 filed by the applicant is on record. However it appears that no action was taken on this application. The Xerox copy of the consumer personal ledger is on record. The respondent also admitted that the bill showing the average consumption was given for the period from January 2011 to June 2013. Since the meter is installed in the Ashram school and it is a residential school the statement of the applicant that the meter was inaccessible is improper and wrong. Furthermore as per the provisions of Regulation 7.2 the respondent has to carry out the reading of consumer meter at least once in every three months in case of agricultural consumers and at least once in every two months for all others consumers. The respondent totally neglected this provision.

The flying squad visited the premises on 26-06-2013. The Xerox copy of the inspection report is on record. As per the report the meter was O.K. and the meter reading at the time of inspection was 36801. As per the consumer personal ledger the reading of July 2013 was 36978. So if the consumer personal ledger and inspection report is perused together it appears that the respondent issued the bill, after the inspection, as per meter reading only. In absence of any contrary evidence we are of the opinion that the bill issued, as per the reading indicated by the meter, is proper. So we disagree with the contention of the applicant that the meter is faulty.

At the time of hearing the respondent stated that the slab benefit is already given to the applicant. However the delayed payment charges are included in the bill amount. From the aforesaid discussion it is clear that the respondent themselves issued the bill on average basis for the period from January 2011 to June 2013. The applicant made a written complaint in January 2012. However the respondent did not take any action. At the time of inspection by the flying squad on 26-06-2013 the meter was found to be O.K. Even as on today the meter is running properly. The respondent stated that slab benefit is already given but the delayed payment charges are included in the bill amount. In our opinion to impose the delayed payment charges on the applicant is not just and proper.

The IGRC allowed the applicant to pay the arrears of bill in four installments. In our opinion the order of the IGRC giving the installments to the applicant is proper.

Now as per the written reply dated 12-03-2015 the applicant is in arrears of Rs.2,78,000/-. We have set aside the delayed payment charges. The respondent

should once again check that the monthly slab benefit is given to the applicant. After deducting the aforesaid amount the applicant should deposit the arrears as under,

1st installment - Rs.50,000/-

2nd installment - Rs.50,000/-

3rd installment - Rs.50,000/-

4th installment - Rs.50,000/-

5th installment - remaining amount

The applicant shall pay the 1st installment on or before 31-03-2015. The applicant should there after deposit 2nd, 3rd, 4th & 5th installments by the end of April 2015, May 2015, June 2015 and July 2015. Failing which, the respondent is free to take necessary action. The applicant will pay the current bill simultaneously.

In view of the aforesaid discussion, we pass the following order,

ORDER

- i) Application no.21 of 2015 is partly allowed.
- ii) The delayed payment charges imposed by the respondent are hereby set aside.
The applicant should be given monthly slab benefit.
- iii) The applicant is allowed to deposit the arrears in five monthly installments.
- iv) No order as to cost.

Sd/- (Adv.Gauri D.Chandrayan) <u>MEMBER</u>	sd/- (Ms.S.B.Chiwande) <u>MEMBER SECRETARY</u>	sd/- (Vishnu S. Bute) <u>CHAIRMAN</u>
<u>CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR</u>		
<u>(Nagpur Dtd.16th day of March, 2015)</u>		

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440013

Email.id- cgrfnz@mahadiscom.in
cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 16th March, 2015 in Case No.21 / 2015 is enclosed herewith.

Member-Secy/ Exe.Engineer,
C.G.R.F.(NZ)MSEDCL
N A G P U R

To,
The President, Anudanit Ashram School, At.Po.Kelzar, Tq.Mul, Dist.Chandrapur

Copy s.w.r.to :-

1. The Chief Engineer(NZ), MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.

Copy f.w.cs.to:

1. The Executive Engineer/Nodal Officer., O&M Circle Office, MSEDCL.Chandrapur
2. Executive Engineer,C.C.O&M Dn., MSEDCL, Chandrapur.
for information and necessary action.

Address of the Electricity Ombudsman is given as below.

Office of - The Electricity Ombudsman,
12, Srikrupa, Vijay Nagar,
Chhaoni, Nagpur-440 013
0712-2596670