

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

COMPLAINT NO. 352/2011

Shri Saibaba Mahila Bachat Gat,
C/o Smt. Shraddha Raman Agrawal,
Bachpai Chouk, Near Kundan Kuti,
Murri Road, Gondiya-441601.

.. Complainant

.,VS..

1. Executive Engineer,
MSEDCL, O & M Division,
Gondiya.
2. Executive Engineer/Nodal Officer,
I. G. R. C., Circle Office,
MSEDCL, Gondiya

Respondents

Applicant Represented by Mr. K.S.Parihar .

Respondents represented by 1) Shri A.V.Kurekar, Dy.Exe. Engineer, Gondiya.

CORAM:

Shri T. M. Mantri, Chairman.

Ms. S. B. Chiwande, Member-Secretary.

Shri M. G. Deodhar, Member.

ORDER
(Per Chairman Dtd. 30th January, 2012)

1 The complainant filed present complaint against Respondent Licensee for the grievance of excess billing, improper disconnection of electric supply, refund of the amount and the compensation. In substance, the complainant case is that since Sept.2008 10 HP Connection is provided to the complainant and all the bills till April 2010 have been regularly deposited. During the last three years electric consumption never exceeded 100/125 units and accordingly the bills have been issued which have been deposited. However, bills for 26.4.2010 to

25.8.2010 as detailed in the complaint were of excessive units and therefore on 23.7.2010 written application was made and even subsequent thereof but no proper steps have been taken.

2 It is further alleged that sanctioned load is of 10 HP and accordingly bills have been issued but the bills are issued @ TOD as well as with penalty. The bills needs to be corrected because of faulty reads and amount of Rs.30,000/- has been shown as arrears. Complainant is ready to deposit Rs.10,000/- which needs to be adjusted in the corrected bill and connection has to be reconnected.

3 It is further alleged that the then Dy.EE Shri Patil said in Jan 2011 to deposit Rs.10,000/- tentatively so excessive bills would be corrected accordingly amount of Rs.10000/- was deposited on 25.1.2011. However, no decision was taken on the contrary the supply was disconnected on 10th Sept. 2011..

4 It is further alleged that bills for Rs.31,000/- which is in fact electric use of Rs.1500/- only therefore there is excessive billing. If the bills are corrected there are no arrears. On the contrary amount needs to be refunded. The complainant pulls on life of 13 women. It is then given the details of machines and further alleged that practically for four months i. June to Sept. the establishment remains closed. Further it is alleged that on 9.9.2011 Shri Giripunje and Shri Pimple alongwith the others visited the premises and taken inspection what was their opinion? Whether such electric can be consumed ? And hence sought relief for refund of the amount alongwith Rs.5000/- towards mental harassment. The complainant has filed copies of the certain document with the complaint.

5 The notice as per rule was issued to the Respondent Licensee for submitting its parawise comments and documents. Accordingly on 31st Oct.2011 reply came to be filed stating therein that though sanctioned load is of 10 HP connected load is 9 HP. The bills under reference have been issued as per meter reading and amount of Rs.31, 586.00 was due against August end. Complainant

was asked to deposit Rs.300/- for meter testing and thereafter meter was tested & it was found OK. The complainant has deposited Rs.560/- and Rs.10,000/- on 17.6.2010 and 25.01.2011. As there were arrears of Rs.30,152.00/- at the end of the Aug.,2011 and in the drive of recovery the connection was temporarily disconnected on 19.9.2011. Further it is stated that spot inspection was carried out and further interim bill of Rs.10,000/- which came to be deposited on 25.10.2011, the electric connection was thereafter reconnected. Further it is stated that the bills are being issued corrected as per the reading of the new meter. On behalf of the Respondent Licensee copy of office note dt.24.10.2011, draft letter dt.25.10.2011 and note dt.19.10.2011 came to be filed.

6 Heard Shri Parihar the learned representative for the complainant and Shri A.,V.Kurhekar Dy.EE learned representative for Respondent Licensee during the course of argument documents came to be filed as referred to above. It is clear that though in the reply the Respondent Licensee. has attempted to deny claim of the complainant, however, later on more particularly when documents came on record has in substance admitted that there was mistake. From the office note and the draft came to be filed on behalf of the Respondent, it is clear that the bills for the disputed period are not correct. From the said note it is further clear that as per track record for the consumption for the earlier period, it is around 100 units per month. However for the relevant disputed period the recorded reading, the recorded MD is shown as 43 KVA. It has been admitted that on sanction connected load 10 HP such high MD cannot be recorded. During course of submission the learned representative of Dist. Licensee has admitted that there was malfunctioning which resulted in excessive recording, there could not be such consumption. During the course of hearing which was subsequently taken on next date the learned Representative of Dist. Licensee has filed bill revision sheet showing amount of Rs.13,736-30 ps. has credit of the complainant and hence further submitted that interest credit of Rs.2000/- has been also included therein, as in the alleged bills and on arrears interest has been levied. Admittedly the complainant has deposited huge amount from time to time which is not in

dispute. The learned representative for the complainant seemed to be satisfied for the figure of credit amount as shown in the revised statement and according to him the Respondent Licensee is liable to refund the same forthwith. He has also submitted that for illegal disconnection that to without notice the compensation as prayed needs to be granted apart from the expenses as against this learned representative of Dist. Licensee has submitted that there is apparently mistake which has been rectified and therefore neither compensation be awarded nor expenses. He has tried to further submit that credit amount has to be adjusted in the forth coming bills this has been strongly objected from the side of the complainant.

7 Upon considering the available material on record and submission on behalf of the parties it is clear that under the connected load of 10 HP there would not be such excessive MD recorded reading of 43 KVA. During course of hearing learned representative of Respondent Licensee has admitted that it is not possible for such connected load. Had this matter would have been seen at that stage, the further complication and inconvenience caused to the complainant would have been certainly avoided. This has been admitted by the learned Representative for the Respondent Licensee. So apparently there is negligence or attitude of causal nature from the side of employees of the Respondent Licensee. Average consumption of about 3 years prior to disputed bills in question, if would have been taken into consideration, this unfortunate litigation could have been avoided. The complainant, which is run by women, would not have been put to such hardship and sufferance. Disconnection, that too without giving notice, is wrongly high handed act on the part of employee of the Respondent Licensee and the complainant was compelled to deposit additional amount of Rs.10,000/-, though it is already deposited in Jan 2011. It is thus apparently causal approach on the part of the employee of the Respondent Licensee. The documents more particularly Respondent Licensee filed on record, clearly supports the complainants side. It is pertinent to note that Respondent Licensee charges interest and delay charges if the amount is not deposited by the consumer within

the time. In view there of submission made from MSEDCL for adjusting amount of claim Rs.13,736.30 in forthcoming bills cannot be accepted. No doubt the complainant has been put to inconvenience and harassment because of disconnection as well as required substantial amount from it. The claim of compensation as demanded though seems to be at high side but it is a fit case in which some reasonable compensation, may be by way of token, needs to be awarded. The Respondent Licensee to take appropriate steps for such eventuality against the concerned erring employee by taking appropriate action. Complainant was compelled to approach the forum in respect of dispute of substance, amount which was incorrect requiring unnecessary expenses. So considering the matter from all angles, this forum pass the following orders.

Order

1. Complainant No.352/2011 is hereby partly allowed.
2. Respondent Licensee is directed to refund the amount of Rs.13,736.30 ps.(shown as corrected, in bill revision sheet) to the complainant within one month from the receipt of the order, else it will have to pay interest which respondent is charging against its consumer.
3. The Respondent Licensee is also directed to pay Rs.1000/- towards compensation, cost of the litigation in view of inconvenience and harassment caused to the complainant which is being run by women.
4. Compliance report to be made within the stipulated time.

(M.G.Deodhar)
MEMBER

(Smt.S.B.Chiwande)
MEMBER SECRETARY

(T.M.Mantri)
CHAIRMAN

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

(Order Per Chairman Dtd.: 30th January, 2012)

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440 013

Shri T.M.Mantri
 Chairman
 (Mb)9673215771

(O) 0712- 2022198

Shri M.G.Deodhar,
 Member
 (M)9422805325

NO. CGRF/NZ/R/

Date :

Certified copy of order dtd 30th January,2012 in Case No.
352/2011 is enclosed herewith.

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

To.

Shri Saibaba Mahila Bachat Gat, C/o Smt. Shraddha Raman Agrawal, Bachpai Chouk,
 Near Kundan Kuti, Murri Road, Gondiya - 441601.

Copy S.W.Rs.to :-

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

Copy F.W.Cs.to:

1. The Executive Engineer/Nodal Officer., O&M Circle Office, MSEDCL.Gondiya.
 2. The Executive Engineer,C.C.O&M Dn., MSEDCL, Gondiya
 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
 Ph.No.0712-2022198.

