

**Before Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/095/2006

Applicant : Shri Mohd. Kayyum Mohd. Hanif,
At New Mankapur,
Nagpur.

Non-Applicant : The Nodal Officer-
Executive Engineer,
Civil Lines, Division,
Nagpur representing the MSEDCL.

Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

3) Shri M.S. Shrisat
Exe. Engr. & Member Secretary,
Consumer Grievance Redressal Forum,
NUZ, MSEDCL, Nagpur.

ORDER (Passed on 15.02.2006)

The present grievance application is filed before this Forum on 25.01.2006 under Regulation 6.3 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2003 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of excessive energy bill amount shown as recoverable from him. His grievance is also in respect of improper disconnection of supply of his electricity.

Before submitting the present grievance application, the applicant had approached the Internal Grievance Redressal Unit under the said Regulations by filing his complaint dated 28.10.2005 raising therein the present grievance. The Unit, thereupon, replied the applicant by its letter, being letter no. 4346 dated 03.12.2005, that his old meter, being meter no. 10743570, was replaced on 20.04.2003 with a final reading of 9689 by a new meter, being meter no. 861158 installed with an initial reading of 00005 and that a credit for 1712 units for the period from March, 2002 to July, 2004 amounting to Rs. 10,007=86 was rightly given to him. The Unit also informed him that after adjustment of this credit amount, an amount of Rs. 18,530/- is outstanding against him and that the applicant is already informed about this position by the Assistant Engineer, Civil Lines Sub-Division, MSEDCL, Nagpur by his letter, being letter no. 888 dated 28.10.2005. The Unit requested the applicant to pay the outstanding amount.

The applicant was not satisfied with the reply given to him by the Unit and hence he filed the present grievance application.

The matter was heard by us 13.02.2006.

A copy of the non-applicant's parawise report dated 04.02.2006 submitted by him in terms of Regulations 6.7

& 6.8 of the said Regulations was given to the applicant on 13.02.2006 before the case was taken up for hearing and he was given opportunity to offer his say on this parawise report also.

Documents produced on record by both the parties are also perused & examined by us.

The contention of the applicant is that the credit of Rs. 10,007=86 already given to him is not adequate. He contended that he has already paid his energy bill amount till the billing month of September, 2001 upto final reading of 7200 units of his meter, being meter no. 10743570. He says that he has already paid a total amount of Rs. 8524/- upto and inclusive of 21.07.2001 since beginning. His house was closed during the period from January, 2002 to November, 2002 since he was staying at a different place along with his family.

He had been complaining about incorrect metered readings and incorrect billing since last 3 years. Ultimately his meter, being meter no. 10743570, was replaced on 20.11.2003 at a reading of 9689 by a new meter, being meter no. 861158 with initial reading of 00005.

According to him, he has already paid for 8912 units and that the calculation in respect of outstanding amount of Rs. 18,530/- is not correct.

It is his further say that he has paid amount of Rs. 3000/- & Rs. 2000/- respectively on 25.11.2002 & 04.03.2003 and that these amounts ought to have been deducted from the outstanding amount as calculated by the non-applicant.

The calculation of the revised bill amount for the period from March, 2002 till July, 2004 is not acceptable to him. He has, therefore, requested that the entire matter may be reviewed and a revised bill issued after taking into consideration all the energy bill amounts paid by him from January, 2000 onwards and that appropriate adequate credit given to him.

It is his further contention that his power supply was disconnected on 16.09.2005 without any notice to him which has resulted into hardship for his family.

He has produced copies of the following documents in support of his contentions.

- 1) The Internal Grievance Redressal Unit's reply, being letter no. 4346, addressed to the applicant to his complaint dated 28.10.2005.
- 2) The applicant's CPL from September, 1999 till July, 2005.
- 3) His complaint dated 28.10.2005 filed before the Internal Grievance Redressal Unit
- 4) His application dated 19.05.2005 addressed to the Executive Engineer, Civil Lines Division, MSEDCL, Nagpur in respect of revision of his incorrect energy bills issued since last 3 years.
- 5) His application dated 29.09.2005 addressed to the Jr. Engineer, MSEB, Katol Road, Nagpur again on the similar subject.
- 6) His application dated 12.09.2005 addressed to the Jr. Engineer, Katol Road, Nagpur on the similar subject.

- 7) His application dated 20.08.2003 addressed to the Jr. Engineer, MSEB, Katol Road, Nagpur in respect of incorrect outstanding amount of Rs. 8000/- shown against him.
- 8) His application dated 21.10.2004 addressed to the Jr. Engineer, Katol Road, MSEB, Nagpur in respect of issuance of a fresh energy bill from 18.11.2003 based on the metered readings.
- 9) His energy bill dated 10.06.2005 for 426 units for the period from 16.03.2005 to 16.05.2005 for Rs. 24790/- showing inclusion of arrear amount of Rs. 22,827=76.

He lastly prayed that his energy bills for the past 3 years may be revised appropriately and additional credit given to him.

The non-applicant has stated in his parawise report that the applicant's meter, being meter no. 10743570, was replaced on 20.11.2003 at a final meter reading of 09689 by a new meter, being meter no. 861158 of which initial reading was 00005. The applicant's energy bill from March, 2002 to July, 2004 for 4151 units was cancelled and a revised bill for 2439 units only was issued. Thus, a credit for 1712 units amounting to Rs. 10,007=86 was given to the applicant. A net amount of Rs.18,530/- was outstanding against the applicant as per the revised calculations and hence the bill for this amount was accordingly served on the applicant on 11.11.2005.

He further stated that since the applicant did not pay this amount, his supply of electricity disconnected temporarily from the electricity pole on 29.11.2005.

According to the non-applicant, the outstanding amount is not yet paid by the applicant and that an arrear amount of Rs. 21,820/- is now outstanding against him as in January, 2006.

The non-applicant has produced a copy of the applicant's CPL for the period from July, 1999 till January, 2006.

He lastly prayed that there is now no substance in the applicant's grievance since adequate credit is already given to him and since a revised energy bill is also already served on him appropriately.

We have carefully gone through the record of the case, all documents produced on record by both the parties as also all submissions, written & oral, made before us by both of them.

The applicant, it seems, has complicated the matter without any sufficient reason.

His say is that he has already paid a total amount of Rs. 13,824/- to the non-applicant towards his energy bills since beginning for 11774 units. He wants that this amount should also be considered while working out afresh the outstanding amount. However, it is not legally proper to revise the applicant's energy bills right from the year 1999.

The applicant has also stated that he has already paid his energy bill amount till September, 2001 upto his

meter reading of 7200 units. This say of the applicant can not be accepted because the applicant's CPL clearly shows that the applicant has paid an amount of Rs. 1200/- on 21.07.2001 against his energy bill of Rs. 1982=68 for the billing month of July, 2001. Hence, it is clear that the applicant has not made full payment up to his metered reading of 7200 units.

The applicant's CPL also shows that the applicant has been a habitual defaulter in respect of payment of his electricity bills. This is evident from the fact that he paid his energy bill amounts on 12.08.1996, 05.10.1998, 15.01.2000, 16.10.2000, 20.04.2001, 21.07.2001, 25.11.2002 and 04.03.2003 during the entire period from September, 1997 till to-day.

The fact, therefore, remains that the applicant was not paying his energy bills regularly even prior to September, 2001.

Let us now see whether the non-applicant's action of billing with reference to the complaint of the applicant in respect of his energy bills for the past 3 years was proper and correct or otherwise.

The non-applicant stated that the applicant's meter, being meter no. 10743570, was replaced on 20.11.2003 at a final reading of 09689 units. The applicant has also not disputed this position. The initial reading of the applicant's meter was 7792 units in the billing month of May, 2002. Hence it follows that the applicant has consumed $9689 - 7792 = 1897$ units during the period from March, 2002 till 20.11.2003 against the applicant's old meter, being meter no. 10743570.

The new meter, being meter no. 861158, was installed on 20.11.2003 with an initial reading of 00005. This position also is admitted by the applicant. The final reading of this meter was 547 units in July, 2004. As such, the applicant has consumed $547-05=542$ units from 20.11.2003 till the month of July, 2004 against the applicants new meter, being meter no. 861158. Thus, the applicant's total consumption comes to $1897 + 542 = 2439$ units over a period of 28 months from March, 2002 till July, 2004. As against this position, the applicant was charged for 4151 units during the same period by the non-applicant as evidenced by the applicant's CPL. Hence, it follows that a credit of $4151-2439 = 1712$ units was to be given to the applicant. The record shows that the non-applicant has rightly made all the calculations in this respect and has also given credit for 1712 units for Rs.10,007=86 appropriately. The amount of credit given to the applicant also includes interest amount of Rs. 3158=67.

We do not therefore, see any reason to interfere with the action taken by the non-applicant in this regard.

The applicant's say is that the non-applicant has not deducted amount of Rs. 3000/- and Rs. 2000/- paid by him respectively on 25.11.2002 & 04.03.2003 during the aforementioned period of 28 months. However, the applicant's CPL reveals that the applicant did not pay any amount towards his energy bills after 21.07.2001 and that there were energy bill amounts outstanding against him for the billing months of September, 2001, November, 2001, January, 2002 and March, 2002. It is against these outstanding energy bill

amounts that the applicant has made payment of Rs.3000/- & Rs. 2000/- respectively on 25.11.2002 & 04.03.2003. The question of deducting the amount of Rs.5000/- from the revised bill amount worked out by the non-applicant for the aforementioned period of 28 months, therefore, does not arise at all.

The entire action of the non-applicant in respect of revision of the applicant's energy bills upto July, 2004 seems to be correct and proper.

The applicant's request for further reduction of his outstanding amount as calculated by non-applicant holds no support by any calculation.

The non-applicant has served the revised energy bill of Rs. 18530/- on the applicant on 11.11.2005. This is clear from the Jr. Engineer's report dated 29.11.2005 produced on record. Since the applicant did not pay this amount, his supply of electricity was disconnected on 29.11.2005 temporarily from the electricity pole. Thus, it is clear that the applicant's supply of electricity was disconnected on 29.11.2005 and not on 16.09.2005 as contended by the applicant. As a matter of fact, the applicant has made contradictory statements in this respect. He has stated in his complaint dated 28.10.2005 addressed to the Internal Grievance Redressal Unit that his electricity supply was disconnected in Ramzan month while, during the course of hearing, he stated that his electricity supply was disconnected on 16.09.2005 which was much prior to commencement of Ramzan month. This demonstrates that the say of the applicant that his supply of electricity was

disconnected on 16.09.005 is not correct. Otherwise also, the Jr. Engineer's report 29.11.2005 produced on record by the non-applicant amply clarifies that the applicant's power supply was disconnected on 29.11.2005.

The revised energy bill dated 28.10.2005 for Rs. 18530/- was duly served on the applicant on 11.11.2005 and hence the applicant ought to have paid this amount diligently, may be under protest, which he did not do. A sufficient time of 18 days was available with the applicant for payment of this amount. However, the applicant chose not to make any payment which ultimately resulted in disconnection of his power supply.

We, therefore, do not see any reason to interfere with the action taken by the non-applicant in this entire case.

The contentions raised by the applicant are not cogent and justified and hence they are not acceptable to us.

In the result, the applicant's grievance application stands rejected.

Sd/-	Sd/-	Sd/-
(M.S. Shrisat)	(Smt. Gouri Chandrayan)	(S.D. Jahagirdar)
Member-Secretary	Member	CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**