

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

Case No. CGRF(NUZ)/004/2011

Applicant : Smt. Maniben Shankarlal Ratnani,
At Plot No. 248,
Jagajivanram Nagar,
Garoba Maidan,
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Mahal Division,
Nagpur Urban Zone,
Nagpur.

Quorum Present : 1) Shri. Shivajirao S. Patil
Chairman,

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER (Passed on 23.03.2011)

The present grievance application is filed by Smt. Maniben Shankarlal Ratnani, Plot No. 248, Jagjivanram Nagar, Garoba Maidan, Nagpur on dated 03.02.2011 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

1. The applicant has filed the grievance in IGRC, Nagpur Urban Circle, for correction of average bills from last 4 years. Even after lapse of 60 days, no action was initiated by the IGRC. Therefore being aggrieved by this, the applicant has filed the present grievance in the forum on dtd. 3.2.2011 and requested to the forum that ...

1) To direct the Licensee to issue the correct bill.

2. The applicant's case in brief is that applicant has electricity connection with consumer no. 410011761414 for residential purpose in the name of Smt. Maniben Shankarlal Rantnani. The applicant has been receiving average bills since last 4 years. The applicant reported the matter to MSEDCL and the meter was replaced. Even then the applicant was getting average bills.

The applicant stated that she has paid average bills regularly. Suddenly in the month of Mar-2010 the applicant has received an electricity bill with an amount of about `1,05,360. The applicant paid `60,000 and `10,000 i.e. total amount of `70,000 in order to avoid disconnection.

The applicant has requested to the non-applicant to provide 24 months bill correctly and to adjust the payment of `70,000 as per norms of MSEDCL. But no corrective measures were taken by the non-applicant, therefore the applicant filed this grievance application. and claim reliefs.

3. The non-applicant filed the reply in the forum on dtd. 21.02.2011. It is submitted that old meter of applicant was stopped and therefore it was changed in February 2006. At that time last reading of the old meter was 9387. MSEDCL has installed new meter no. 53700124514 and its initial reading was 00022.

The average bills for 48 months with 137 units per month were issued to the applicant but actual consumption of the applicant is found to be 478 units per month as per meter reading. In the month of March 2010, a bill with initial reading as 22 and current reading as 23458 having consumption of 23436 units was given to the applicant. It is perfectly correct and legal.

There is total payment of `70,000/- by the applicant till Jun-2010 and after that paid only current bills. Therefore till January 2011 amount of `71,057.53 with late charges of `92 i.e. total amount of `71,149.53 is outstanding against the applicant and it is proper.

4. The matter was heard in the Forum on dtd.22.2.2011. Both the parties were present. Shri. S. Waghmare, Executive Engineer, Mahal Division was present on behalf of non-applicant. Shri. Satish Ratnani pleaded the applicant's side and reiterated the points as mentioned in the grievance application.

5. The non-applicant has informed to the forum that although the meter was replaced in Feb-2006, but due to

some technical problem, the replacement is not effected in the record of consumer. Therefore bills with average consumption were issued to the applicant for period Mar-2006 to Feb-2010. This problem was sorted out in the month of Feb-2010 and the actual reading available with meter i.e. 23458 was fed. As a result the bill with consumption of 23456 units was issued to the applicant in the month of Mar-2010 and is correct.

6. Heard arguments of both parties and perused the records. It is not at all disputed that the non-applicant has issued average bills to the applicant with 137 units per months for 48 months. It is not justified to issue average bill for a larger period like 48 months unnecessarily without taking any remedial action. It is against prevailing of natural justice.

7. As per EA-2003, Section 56(2)...

“Notwithstanding anything contained in any other law for the time being in force, no sum due from any consumer, under this section shall be recoverable after the period of two years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrear of charges for electricity supplied and the licensee shall not cut off the supply of the electricity”

8. Taking into consideration of facts and circumstances of the case and evidence on record. In the opinion of the

Forum, the disputed amount was not shown as recoverable arrears for four years from the date when this amount was first due. Therefore the non-applicant cannot recover the electricity charges for total 48 months. Therefore the non-applicant is liable to recover electricity charges for 24 months only.

9. Resultantly Forum proceed to pass the following order.

ORDER

The grievance application is partly allowed.

- 1) The non-applicant is hereby directed to equally distribute the consumption of 23458 units in 48 months and recover charges for 24 months only.
- 2) Payment made by the applicant Rs.70,000/- shall be adjusted.
- 3) The non-applicant is directed to report compliance on or before dtd. 25.04.2011.

Sd/- (Smt.K.K.Gharat)	Sd/- (Adv.Smt.GauriChandrayan)	Sd/- (ShriShivajirao S.Patil)
MEMBER SECRETARY	MEMBER	CHAIRMAN