

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

Case No. CGRF(NUZ)/025/2008

- Applicant : Shri Devrao Meshram through
Sau. Vandana Narnaware
At Itgaon, Taluka Parshivani,
Dist. Nagpur.
- Non-applicant : MSEDCL through
the Nodal Officer-
Executive Engineer,
Division No. II, NUZ,
Nagpur.
- 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 S.J. Bhargawa
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 29.04.2008)

This grievance application is filed on 27.03.2008
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.

The grievance of the applicant is in respect of allegedly illegal disconnection of her power supply on 26.12.2007 and also in respect of erroneous and exorbitant billing.

Before approaching this Forum, the applicant had filed his grievance on the same subject-matter before the Internal Grievance Redressal Cell (in short, the Cell) on 05.01.2008. The Cell, upon enquiry and hearing, informed the applicant on 07.03.2008 that the applicant should make payment of 60% of the disputed bill amount of Rs.32,500/- and that the residual amount should be paid in installments. The Cell also informed that the applicant should pay meter testing charges of Rs.100/- and an amount of Rs.200/- towards restoration of his power supply and that after compliance as aforesaid, the non-applicant should restore power supply to him.

The applicant is not satisfied with the Cell's order and hence, this grievance application.

The matter was heard on 28.04.2008 and 29.04.2008.

The applicant's case was presented before this Forum by the applicant's representative Mrs. Vandana Narnavare while the Assistant Engineer Shri Thakare represented the non-applicant Company.

The applicant's representative has contended that the applicant received energy bill of Rs.90/- for the month of July 2007 for 45 units which was duly paid. However, to his

shock & surprise, the applicant received in November, 2007 energy bill for the month of October 2007 for 5300 units which according to him, is unjust, improper and illegal. The applicant's representative vehemently stated that looking to the trend of past consumption, this bill for 5300 units for Rs.32,500=25 is clearly excessive and improper. On receiving this bill, the applicant approached the non-applicant Company's officials. However, instead of redressing the grievance, his power supply came to be disconnected. The applicant's representative strongly argued that no notice was served upon the applicant before disconnecting the power supply. She also denied the non-applicant's claim that power supply was extended from the applicant's meter illegally to others. Smt. Vandana Narnavare also denied to have signed the power disconnection notice issued by the non-applicant on 15.10.2007. The disputed bill of Rs.30,115/- for 5223 units for which the last date was of payment was 25.10.2007 is not acceptable to the applicant. The applicant's representative lastly prayed that the applicant's disputed bill in question may be corrected appropriately and that his power supply restored immediately.

The non-applicant has submitted his parawise report dated 25.04.2008 which is on record. It has been stated in this report as well as in the oral submissions of Shri Thakare Assistant Engineer that the applicant's meter was checked on 11.10.2007. That time, the applicant's meter's current reading was 5541. The previous reading of the applicant's meter was 241 units and hence, energy bill for 5300 units for Rs.32,501.90/- came to be issued rightly. The

applicant protested this bill on 30.11.2007. Thereupon, he was informed on 20.12.2007 that the applicant should make payment of meter testing charges of Rs.100/- for the purpose of testing of his meter. However, he did not pay this amount. Despite this position, the applicant's meter was got tested on 14.02.2008 at the meter testing and inspection unit at Khapkheda. Upon inspection, the meter was found to be alright. A copy of this meter testing report is produced on record by him. Being not satisfied with the billing done, the applicant approached the Cell under the said Regulations. The Cell, upon inquiry and hearing, ordered that the applicant should pay 60% amount i.e. Rs.19,500/- and meter testing charges of Rs.100/- and also power supply restoration charges of Rs.200/- to the non-applicant and upon payment of these amounts, the applicant's power supply should be restored. The Cell also ordered that the applicant should pay the residual amount in installments. However, the applicant did not so far pay these amounts.

He added that upon checking of the applicant's meter on 11.10.2007, it was observed that the applicant has illegally extended power supply from his meter to as many as four persons namely Shri Umesh Vahane, Shri Gajanan Lad, Shri Chandrabhan Meshram & Shri Indrakumar Meshram. A panchnama to that effect has also been drawn on 11.10.2007. A copy of this panchnama is also produced on record. It is also stated by the non-applicant that the applicant's meter was running alright and as such, the billing done to him is correct and proper. A communication, being communication letter no. 244 dated 18.02.2008, is also sent by the Assistant Engineer to

the applicant apprising him of the Cell's orders and asking him to pay the first installment of Rs.19,800/- as ordered by the Cell. A copy of the meter testing report dated 16.02.2008 was also sent to him.

He lastly prayed that there is no substance in the grievance application and the applicant was billed properly as per metered consumption. He, therefore, requested that the grievance application may be rejected.

In this case, it is seen from record that the applicant came to be billed for 5300 units in the month of October 2007 because of the fact that the concerned meter reader did not record periodical readings correctly. The record also shows that a notice, being notice dated 16.11.2007, was issued to one Shri K.G. Gajbhiye, meter reader asking him to show-cause as to why action should not be taken against him for incorrect reading of the applicant's meter. In reply, the concerned meter reader Shri Gajbhiye has admitted his mistakes of having recorded incorrect readings for the months of April 2007 and July 2007. In that, he had clearly mentioned that the current reading in the month of April 2007 ought to have been recorded by him as 2196 units while he wrongly recorded it as 196 units. Similarly current reading of 3241 units ought to have been recorded in the month of July, 2007 as against 241 units wrongly recorded by him. He has confirmed in this reply that correct current reading of the applicant's meter was 5541 units for the month of October 2007 which he correctly recorded. This shows that the billing for 5300 units in one go for the month of October 2007 came to be done to the applicant because of serious lapses on the part

of the meter reader. Had the meter reader recorded readings correctly since April, 2007, the applicant would not have been billed for 5300 units only in one month. The applicant's meter was also got tested in the testing unit of Khaparkheda on 14.02.2008 and the testing result shows that the applicant's meter was alright. When asked, the Assistant Engineer representing the non-applicant Company admitted that the applicant's meter was not tested in the presence of the applicant at Khaparkheda. There is no plausible explanation forthcoming from the non-applicant's side for not intimating the applicant about conduct of the meter test. In view of this position, the Forum decided with the consent of both the parties to test the meter afresh at the Testing Division of NUZ at Nagpur. Accordingly, the applicant's meter was got tested in the applicant's presence at Testing Division, NUZ, Nagpur on 29.04.2008. The non-applicant has produced on record the report of meter testing. This report confirms that the applicant's meter is fault-free and it is in order. The applicant has also no adverse comments to offer on this meter testing report. In view of this position, it is clear that there was no fault in the applicant's meter and hence, billing done to the applicant was according to the metered consumption. The applicant is, therefore, liable to pay the energy charges for consumption of electricity. As regards the disputed bill for 5300 units for the month of October 2007, it is a fact evidenced by record that this bill of 5300 units pertains to the period from April 2007 to October 2007 and not only for the month of October 2007. This has happened because of the wrong readings taken by the concerned meter reader in April 2007

and July 2007. As such, in these circumstances, the applicant deserves to be given admissible slab benefit which has so far not been given by the non-applicant. The non-applicant is, therefore, directed to work out the amount of slab benefit and give credit to that extent to the applicant while issuing the revised bill.

As regards the applicant's grievance of illegal disconnection of power supply, it is seen from record that a notice, being notice dated 15.10.2007 was issued to the applicant asking him to pay energy bill amount of Rs.30,115/- on or before 30.11.2007 failing which his power supply would be disconnected. This notice bears signature of Sau. Vandana Narnavare. Although she has personally denied before this Forum to have signed this notice in token of having received it, her signature on this notice and the one on the grievance application appear to be identical with each other. There is, therefore, no force in the applicant's contention that the applicant's power supply was disconnected without notice. Moreover, it is also seen that there is a prima-facie evidence of un-authorised use of electricity from the applicant's meter. This is evident from the panchnama dated 11.10.2007 drawn by the Assistant Engineer which also bears signature of two panchas. In view of this position, the non-applicant's action of disconnection of the applicant's power supply cannot be faulted with.

In the light of above, the applicant's grievance application stands disposed of with a direction to the non-applicant to work out slab benefit and give consequential

appropriate credit to him against the energy bill for the month of October 2007 as stated above.

The non-applicant shall carry out this order and report compliance of this order to this Forum on or before 31.05.2008.

Sd/-	Sd/-	Sd/-
(S.J. Bhargawa)	(Smt. Gauri Chandrayan)	(S.D. Jahagirdar)
Member-Secretary	MEMBER	CHAIRMAN

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

Member-Secretary
Consumer Grievance Redressal Forum,
Maharashtra State Electricity Distribution Co.Ltd.,
Nagpur Urban Zone, NAGPUR.