

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

Case No. CGRF(NUZ)/083/2006

- Applicant : Smt. Mamta L. Magnani,
At- 64, Shastrinagar,
Nagpur – 440 008.
- Non-Applicant : The Nodal Officer,
Executive Engineer,
Mahal 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 07.01.2006)

The present grievance application is filed on 17.12.2005 in the prescribed schedule “A” as per 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 of non-correction of her energy bills for the period from the billing month of January, 2004 upto 14.06.2004 against her meter, being meter no. 339753.

Before approaching this Forum, the applicant had filed his complaint in the prescribed Annexure "X" under the said Regulations before the Internal Grievance Redressal Unit on 27.09.2005 raising therein the present grievance. Thereupon, the Unit replied the applicant by its letter, being letter no. 3911, informing that her energy bills for the months of December, 2003 to August, 2004 were already revised in September, 2004 and that accordingly, a credit amounting to Rs.15,545=61 was given to her in the billing month of June, 2005. The Unit also informed her that additional credit of Rs. 1968=01 is also given in view of correction of her energy bills for the months of September,2004 and October, 2004 and that this credit was given in her energy bill for the billing month of October, 2005.

The applicant was not satisfied with the remedy provided to her by the Internal Grievance Redressal Unit and hence, the present grievance application.

After receipt of the grievance application, the non-applicant was asked to submit before this Forum his parawise comments on the applicant's grievance application in terms of Regulations 6.7 & 6.8 of the said Regulations. Accordingly, he submitted his parawise report dated 26.12.2005 before this Forum on

27.12.2005. A copy thereof was given to the applicant and she was given opportunity to offer her say on this parawise report also.

The matter was heard by us on 07.01.2006. Documents produced on record by both the parties are also perused and examined by us.

The applicant's case was presented before us by her nominated representative Shri Laxman P. Magnani.

It is the contention of the applicant's representative that the applicant's meter, being meter no. 339753 was all along showing correct readings. However, to the applicant's shock & surprise, she received energy bill dated 12.02.2004 for the period from 31.12.2003 to 31.01.2004 showing therein abnormal consumption of as many as 2920 units during the period of one month only. There-upon, the applicant made a complaint in respect of this incorrect and excessive bill before the non-applicant. Although a credit of Rs.15545=61 was given by the non-applicant to her in her energy bill for the month of June, 2005, the net payable amount of his energy bills from the billing month of January, 2004 upto 14.06.2004 was wrongly calculated by the non-applicant on the incorrect average basis of around 220 units per month during this period. He strongly contended that the logic of working out of average consumption of 220 units per month during the disputed period in question is not acceptable to him.

The applicant's previous meter, being meter no. 339753, was replaced on 14.06.2004 by a new electronic meter, being meter no. 531583. He has no complaint about the working the new electronic meter and the applicant is regularly paying all the bills generated by this electronic meter.

His only complaint is about correction of applicant's energy bills against her previous meter, being meter no. 339753, for period from 31-12-2004 upto 14.06.2004.

He added that the parawise report of the non-applicant is not acceptable to him in as much as no satisfactory and justifiable remedy based on factual position has so far been provided to the applicant.

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

- 1) Applicant's disputed energy bill dated 12.02.2004 for the period from 31.12.2003 to 31.01.2004 against her meter, being meter no. 33975 for 2920 units.
- 2) Applicant's energy bill dated 13.07.2005 was 373 units for the month of January, 2005 against her meter, being meter no. 531583.
- 3) Reply, being reply no. 3911, given to the applicant by the Internal Grievance Redressal Unit.
- 4) Applicant's energy bill dated 09.12.2005 for 1698 units for the month of November, 2005.

He lastly prayed that the applicant's grievance in question may be removed.

The non-applicant has stated in his parawise report that the applicant's energy bills disputed by her were already revised and in that, a credit amounting to Rs.15,545.61 was already given to her in the billing month of June, 2005. Not only this but the applicant's energy bills for the month's of September, 2004 and October,2004 issued in

reject status are also revised and a credit amounting of Rs.1968.01 is given to her in the billing month of October,2005. According to him, the grievance of the applicant is already settled appropriately and that the applicant's latest energy bill for the month of Nov. 2005 for Rs.10,540.18 is issued correctly.

We have carefully gone through all the documents produced on record by both parties and also all the submissions made before us by both of them.

The applicant's CPL, a copy of which has been produced by the non-applicant during the course of hearing, reveals that it is showing consumption by the applicant of as many as 2920 units in the billing month of January, 2004. The CPL also shows that the same initial and final metered reading viz 5703 in all the energy bills of the applicant from the billing month of February, 2004 upto and inclusive of the billing month of May, 2004. This very fact goes to prove that there was something seriously wrong in respect of correct recording of the applicant's consumption.

Even the non-applicant has admitted before us during the course of hearing that a serious mistake came to be committed while recording the applicant's consumption during the period in question i.e. during the period from 31-12-2003 to 14-06-2004.

The applicant's meter, being meter no. 339753 was changed on 14.06.2004 when it was showing final reading of 3242. This has been disclosed to us by none other than the non-applicant himself. Hence, it is not understood as to why and how final reading of 5703 was shown in the applicant's energy bill for the billing month of May, 2004 against

this meter. No plausible explanation is offered by the non-applicant on this point.

The non-applicant, on his part, stated before us that the applicant's average consumption per month was worked out on the basis of his consumption pattern against her new meter, being meter no. 531583. According to him, an average consumption of 220 units per month was thus worked out and the applicant was charged accordingly during the period from 31-12-2003 to 14-06-2004. However, we are unable to accept this logic of the non-applicant for the simple reason that the applicant's consumption during the above period was 459 units only as evidenced by the final and initial metered readings of 3242 and 2783 units respectively. This, in turn amounts to an average of 76 units per month and not 220 units as wrongly calculated by the non-applicant.

The non-applicant has also voluntarily agreed during the course of hearing the above position. He also agreed to charge the applicant for only 459 units during the period from 31-12-2003 upto 14.06.2004 against her previous meter.

The average consumption of 76 units per month is also acceptable to the applicant's representative.

In view of above position, we are inclined to hold and do hold accordingly that the applicant's energy bill for the period from 31-12-2003 to 14.06.2004 deserves to be revised on the basis of average of 76 units per month.

The credit already given to the applicant is not evidently adequate.

In the instant case, we find that the meter readers concerned have utterly failed to discharge their duties in as much as correct metered readings were not recorded by them. Even the non-applicant has also admitted this position. In view of this, it will be appropriate if stringent action is taken by the non-applicant against the concerned meter readers for dereliction of their duties.

In the result, we accept the applicant's grievance application and direct the non-applicant that her energy bills in question may be revised as per observations made by us in this order and a revised bill issued to her accordingly.

We also direct that the interest portion charged on excessive amount of the applicant's energy bills for the period in question should also be waived by the non-applicant and appropriate credit given to the applicant on this count.

The non-applicant shall report compliance of this order to this Forum on or before 31.01.2006.

Sd/-
(M.S. Shrisat)
Member-Secretary

Sd/-
(Smt. Gouri Chandrayan)
Member

Sd/-
(S.D. Jahagirdar)
CHAIRMAN

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