

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

---

**Case No. CGRF(NUZ)027/2007**

Applicant : Shri Vyasmuni Govinda Raut  
At Borgaon (Buj)  
Post Adasa,  
Tahsil, Kalmeshwar,  
Dist. NAGPUR.

Non-applicant : MSEDCL represented by  
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 08.06.2007)**

The present grievance application has been filed on 11.05.2007 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 wrong and excessive billing against a faulty meter and also in respect of non-installation of his previous electro-mechanical meter. The applicant has also demanded compensation towards harassment caused to him because of illegal disconnection of his power supply.

The applicant, before approaching this Forum, made a complaint to the Executive Engineer, O&M Division-II, MSEDCCL, Nagpur on 23.02.2007 informing him that his meter had stopped recording consumption since October, 2004 and further that his electricity supply was disconnected in October, 2005 illegally. The energy bills on average basis were issued to the applicant after October, 2005 even though his supply was disconnected. This is not acceptable to the applicant. According to him, excessive energy bills were issued after 30.07.2005 at the rate of 90 units per month. Despite his complaints, no satisfactory remedy was provided to him and hence, the present grievance application.

Since the applicant has filed his complaint on 23.02.2007 before the concerned Executive Engineer, the intimation given to the Executive Engineer, on 23.02.2007 is deemed to be the intimation given to the Internal Grievance Redressal Cell (in short the Cell) under the said Regulations. Hence, the applicant was not required to approach the cell again on the same subject-matter of the grievance.

The matter was heard on 01.06.2007.

The applicant's contention is that he has been the non-applicant's consumer having consumer no. 419260023323. His meter, being meter no. 9001222425 was faulty since October, 2004. Despite this position, excessive energy bills were issued to him. His electricity connection was illegally disconnected in October, 2005 on the ground of non-payment of energy charges by him. He and his family are living in his premises without any electricity since October, 2005. This has caused a lot of harassment to him. The applicant was receiving energy bills alright before October, 2004. His consumption that time was 78 units for 3 months on an average. However, after 30.07.2005, he received energy bills in which his consumption is shown as 90 units. According to him, this was wrong. Even though his power supply was disconnected in October, 2005, he has been receiving energy bills on average basis thereafter and he was compelled to make payment thereof. His previous electro-mechanical meter came to be replaced in the past by a new electronic meter and this new meter was defective since October, 2004. He has made written and oral complaints to the authorities of the non-applicant Company for providing appropriate remedy. However, nobody took any cognizance of his complaints. He specifically mentioned that linemen S / Shri Bhusari and Bagde are responsible for mental harassment caused to him. He also complained that illegal amount of Rs. 150/- was recovered from him by lineman Shri Bhusari. Thereupon, he had complained to higher Officers in this respect but to no purpose. He had also filed a Police complaint on 27.02.2007 against lineman Shri Bagde for abusing and

threatening him. The revised bill of Rs. 1605/- issued by the non-applicant on 28.05.2007 is also not acceptable to him.

He lastly prayed that his grievance may be removed and appropriate compensation may be awarded to him.

The non-applicant has submitted his parawise report on 31.05.2007. He has stated in his parawise report that the applicant's electro-mechanical meter was replaced in April, 2002 by a new meter, being meter no. 12225425. This meter was working alright between April 2002 and July, 2004 and during this period, the applicant's quarterly consumption on average basis was 78 units. This electronic meter stopped recording consumption since October, 2004. Thereupon, the applicant was billed for 78 units per quarter. The applicant, accordingly, had paid his last bill on 21.06.2005. The arrear amount of energy charges of Rs.651/- for the period from 21.06.2005 till 30.07.2006 was not paid by him and hence, the applicant's electricity supply came to be disconnected thereafter. On receipt of the applicant's complaint dated 23.02.2006, the billing done to the applicant inadvertently after disconnection of his power supply was corrected and a credit of Rs.495.97 has been given to him. Accordingly, a revised bill of Rs.1605/- came to be issued on 28.05.2007. He added that the applicant's supply was disconnected only because of non-payment of energy charges by him and that no harassment, whatsoever, was caused to the applicant by the employees of the non-applicant Company.

He lastly prayed that the applicant's grievance application may be rejected.

In the instant case, it is an admitted position that the applicant's meter, being meter no. 1222425, was faulty since October, 2004. There is a remark to this effect appearing in the energy bills issued after October, 2004. The applicant's CPL produced on record by the non-applicant also substantiates this fact. Hence, it is crystal clear that the applicant's meter was defective in terms of Regulation 15.4.1 of the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations 2005, hereinafter referred-to-as the Supply Code Regulations. Even the non-applicant has also admitted that the applicant's meter was faulty since October, 2004 till it was removed from his premises. Now as per Regulation 15.4.1 referred-to-above, in case of a defective meter, the amount of consumer's bill shall be adjusted for a maximum period of 3 months prior to the month in which the dispute has arisen. Thus, the applicant was liable to pay only 3 months' energy charges prior to 30.07.2006 on which date the applicant's power supply was disconnected by the non-applicant. Against this back-ground, the non-applicant's action of issuing P.D. arrear bill of Rs.2101=65 on 28.05.2006 is not correct & legal. The credit of Rs.495=97 given to the applicant towards excess billing done to him after disconnecting his power supply temporarily though correct does not solve the applicant's problem of wrong billing prior to disconnection. Hence, the fact remains that the net amount of Rs.1605/- billed to the applicant on 28.05.2007 pertains to the arrear amount of energy charges prior to 30.07.2006. Since the applicant is now required to pay only 3 months energy charges, the non-applicant will have to revise this bill so that

it is in tune with the legal provision contained in the aforesaid Regulation 15.4.1. The applicant's grievance that wrong and excessive billing is done to him is thus genuine and correct. We, therefore, direct the non-applicant to revise his bill after taking in-to consideration the observations made by us in this paragraph.

The other grievance of the applicant is that his power supply was disconnected without giving notice to him and hence, it was illegal. On being asked, the Dy. Executive Engineer representing the non-applicant Company categorically admitted that no prior written notice was served on the applicant before disconnecting his power supply.

Section 56 (1) of the Electricity Act, 2003 clearly lays down that where any person neglects to pay any charge for electricity or any sum other than a charge for electricity due from him to a licensee in respect of supply of electricity to him, the licensee may, after giving not less than fifteen clear days' notice in writing, to such person and without prejudice to his rights to recover such charge or other sum by suit, cut off the supply of electricity etc.

In the instant case, there is a violation of this legal provision. Because of illegal disconnection, the applicant and his family have been forced to live in dark for a long period of more than 9 months. It is in this context that the applicant has demanded compensation towards harassment caused to him. Hence, it will be in the fitness of thing if some compensation is awarded to the applicant. We, therefore, award a compensation of Rs. 1000/- ( Rs. One Thousand) to the applicant.

Since the action of the non-applicant in disconnecting applicant's power supply on 30.07.2006 was ab-initio illegal in terms of Section 56 (1), we direct that the applicant's power supply shall be restored immediately within two days from the date of this Order free of charge.

Serious allegations have been made by the applicant against the linemen Shri Bhusari and Shri Bagade in respect of mental harassment caused to him. In this respect, we direct the Chief Engineer to make necessary inquiry in these allegations and and take appropriate action as deemed fit by him.

The applicant has also urged that his previous electro-mechanic meter may be re-installed. However, this request of the applicant cannot be granted because there is a policy of the non-applicant Company to replace all such electro-mechanical meters by new electronic meters.

In the result, we allow the applicant's grievance application and it stands disposed off in terms of this Order.

The non-applicant shall report compliance of this Order to this Forum on or before 20.06.2007.

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.**