

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

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**Case No. CGRF(NUZ)/038/2005**

- Applicant : Shri D.M. Jamgade  
137, Shivajinagar,  
Nagpur.
- Non-Applicant : The Nodal Officer,  
Executive Engineer,  
Congress Nagar Division,  
Nagpur representing the MSEDCL.
- Quorum Present : 1) Shri S.D. Jahagirdar, IAS (Retd),  
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 16.08.2005)**

The present grievance application has been filed by the applicant in the prescribed schedule "A" on 07.07.2005 as per Regulation No. 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 billing.

The matter was heard by us on 16.08.2005 and both the parties were heard by us. Documents produced by both of them are also perused by us.

The applicant had earlier filed his complaint before the Internal Grievance Redressal Unit headed by the Executive Engineer (Adm) in the office of the Chief Engineer, NUZ, MSEB, Nagpur on 06.05.2005 under Regulation numbers 6.7 and 6.8 of the said Regulations. However, no remedy was provided by this Unit to the applicant within the prescribed period of two months and hence he approached this Forum for redressal of his grievance.

After receipt of the grievance application, the non-applicant was asked to furnish parawise remarks on the applicant's application as provided in the said Regulations. Accordingly, the non-applicant furnished his parawise remarks on 16.08.2005. A copy thereof was given to the applicant on 16.08.2005 before the case was taken up for hearing and he was given opportunity to offer his say on this parawise report also.

The applicant's contention is that he received electricity bill of Rs.1,93,110/- pertaining to the period from February,2005 to April,2005 showing consumption by the applicant of 41242 units and that he was shocked to see the

huge bill amount. On receipt of this bill, he approached the Assistant Engineer concerned and filed his application, being application dated 03.05.2005, requesting for correcting this bill. Thereupon, the Assistant Engineer concerned revised this bill and according to this revised bill the applicant was asked to pay an amount of Rs.1,80,760/-. He further contended that the excessive electricity bill issued to him is unjust, improper & illegal.

During the course of hearing the applicant produced a copy of his electricity bill dated 18.06.2005 for the period from 06.04.2005 to 06.06.2005 for the net amount of Rs.1,87,720/- issued subsequently which also the applicant has disputed. The applicant lastly prayed that this excessive electricity bill may be cancelled.

The non-applicant has stated that in his parawise report that the applicant-consumer was having meter, being meter number 169452, which was replaced by another meter bearing meter number 4792356 on 22.06.98 with initial reading of 1860. Prior to the replacement of the meter, the applicant was having an average consumption of 241 units per month between the period from October,1997 to August, 1998. In April, 2005, a reading of 45656 was recorded by the meter reader while the previous reading of December,2004 was recorded as 4414. The abnormal difference in meter reading was checked at the time of reading itself and it was found that the reading appearing on the meter was correct. The meter was, therefore, checked for its accuracy and correctness and it was seen that the meter was recording correct consumption.

The non-applicant added that the abnormality in the reading was found to be due to recording 5 digit meter reading in 4 digit. Thus, abnormally low bills were received by the applicant though his usage was reasonably higher. The above fact was never brought to his notice by the applicant-consumer. The anomaly was noticed by the department and there-upon an electricity bill of Rs.1,93,113.08 came to be issued in the billing month of April,2005 containing the arrear amount for cumulative consumption of accumulated 41242 units. The applicant was apprised of this fact when he approached the Office of the Assistant Engineer, Shankarnagar Sub-Division, Nagpur. Necessary slab benefits of tariff were also passed on to the applicant and credit of Rs.12,355/- was given to him. According to the non-applicant, the applicant has not denied consumption of accumulated units but he is having reservation regarding payment of accumulated bill thereof. The non-applicant has produced the applicant's Consumer Personal Ledger in support of his contentions. The non-applicant lastly stated that his action of serving on the applicant the electricity bill of Rs.1,87,720/- on 18.06.2005 containing the arrear amount towards the consumption of accumulated units is correct.

We have carefully gone through the record of the case and all the submissions made before us by both the parties.

The non-applicant has admitted in no un-ambiguous terms that the applicant was served with an arrear bill pertaining to the period from October,1998 till

April,2005 in one go and that the net bill amount of this bill was 1,93,113.08/- He also admitted that mistakes have been committed by the meter readers throughout the period from 22.06.1998 when the old meter, being meter number 169452, was replaced by another meter, being meter number 4792356, up to 21.04.2005 when the new electronic meter, being meter number 1391991, was installed in place of the previous meter, being meter number 4792356.

When asked by us as to under what circumstances the various meter readers committed serious mistakes in wrong recording of units over a period of almost seven long years from June,1998 to April,2005, there was no plausible explanation forth-coming from the non-applicant. It is pertinent to note that the applicant has denied the contention of the non-applicant to the effect that he agreed to his total consumption of 41242 units. He further denied that the burden of bringing to the notice of the non-applicant such an event was solely upon him. According to him, it is the boundent duty of the non-applicant to check and record the meter reading properly.

We are of the view that the applicant cannot be held responsible for the Himalayan blunder committed by the meter readers of the non-applicant. In fact, it would be worth-while to investigate into such a very serious lapse on the part of the meter readers and also the supervisory officers. We direct the Chief Engineer to investigate into this matter and punish the guilty staff since question of loss of revenue is involved.

As laid down in section 56 (2) of the Electricity Act, 2003, 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. In the instant case, it is not only seen by us but also admitted by the non-applicant that a huge arrear amount towards consumption of over 41000 units has been claimed to the recovered from the applicant in the billing month of April,2005 when this sum became first due way back in June,1998 and that this arrear amount pertaining to a period of almost seven years from June,1998 to April,2005 has been claimed in one go by the non-applicant that too after lapse of a long period of seven years without showing this sum as recoverable continuously as arrear of charges. This mandatory provision was brought to the notice of the applicant and he admitted that there has been violation of section 56 (2) in the instant case. The contentions raised before us by the non-applicant have, therefore, no support of law. The applicant in the instant case gets the benefit of section 56 (2) of the Electricity Act, 2003 which has come into force w.e.f. 10.06.2003.

In the light of above, we accept the applicant's grievance application and pass the following order.

The arrear amount claimed by the non-applicant including interest thereon charged in his electricity bill for the billing month of April,2005 and also in the subsequent billing month stands completely waived in favour of the applicant.

The non-applicant is prevented from recovering this arrear amount.

The non-applicant shall issue a revised bill to the applicant in terms of this order.

The non-applicant shall report compliance of this order to this Forum on or before 31.08.2005.

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.**

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