

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

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**Case No. CGRF(NUZ)/0123/2006**

- Applicant : Shri Govind Pamaji Darokar,  
At Navin Nabira Layout,  
Panchwati, Takula Katol,  
Dist. Nagpur.
- Non-Applicant : The Nodal Officer-  
Assistant Engineer,  
Katol 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.

**ORDER (Passed on 16.05.2006)**

The present grievance application has been filed on 12.04.2006 under 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 limited grievance of the applicant is in respect of erroneous energy bill for Rs. 597.61 dated 31.03.2006 issued by the non-applicant pertaining to arrear amount shown as recoverable from the applicant for the period of 16 months from June 2002 to August 2003.

Before filing the present grievance application, the applicant had approached the Internal Grievance Redressal Unit on 01.12.2005 under the said Regulations raising their in his grievance that previously an arrear amount of Rs. 1785.70 was erroneously included in his energy bill dated 13.07.2005 against his consumer no. 426010074786 and that this amount which is pertaining to a period of 16 months from June, 2002 to August 2003 against his previous connection having consumer no. 426010039794 was not acceptable to him since he had already left the quarter of the non-applicant Company upon his retirement on 31.08.2003 and because at that time a No Dues Certificate was also obtained from the Competent Authority.

Upon hearing the matter, the Internal Grievance Redressal Unit directed that a revised bill should be issued to the applicant after re-examination of the disputed bill. Thereupon, a revised bill for Rs. 597.61 dated 31.03.2006 came to be issued to the applicant cancelling his previous energy bill. The applicant is not satisfied with the decision of the Internal Grievance Redressal Unit and hence, the present grievance application.

The matter was heard by us on 02.05.2006.

Copies of the non-applicant's parawise report dated 27.04.2006 and supplementary report dated 28.04.2006 were given to the applicant on 02.05.2006 before the case was taken up for hearing and he was given opportunity to offer his say on these parawise reports also.

It is the contention of the applicant that he had occupied a quarter allotted to him by the non-applicant Company while he was in the service of the non-applicant Company. He retired from the service on 31.08.2003 after attaining his age of superannuation. He had paid all his energy bills against consumer no. 426010039794 while he was occupying the said premises of the non-applicant Company. He had also obtained a No Dues Certificate from the Competent Authority of the non-applicant Company after his retirement. On vacating the non-applicant's quarter, the applicant shifted his residence to other private premises where he obtained supply of electricity afresh against consumer no. 426010074786. An arrear amount of Rs. 1785.70 came to be included against his new connection vide consumer no. 426010074786 and this arrear amount was pertaining to a period of 16 months from June 2002 to August 2003 against this previous connection having consumer no. 426010039794. He came to know that this amount was worked out based on some observation made in the audit report. Since this arrear amount was not acceptable to the applicant, he first approached the Internal Grievance Redressal Unit under the said Regulations and the Unit ordered revision of this arrear

amount. Thereupon, a revised energy bill for an amount of Rs.597.61 came to be issued on 31.01.2006 against the applicant's consumer no. 426010074786. This revised amount is not acceptable to the applicant. According to him, the revised amount shown as recoverable is unjust, improper & illegal.

He prayed that this energy bill may be quashed.

The non-applicant has stated in his parawise report that as per the observations of the audit, energy bill containing arrear amount of Rs.1785.85 was firstly issued on 27.07.2005 and this was pertaining to a period of 18 months from June 2002 to October 2003 against the applicant's erstwhile connection having consumer no. 426010039794. This bill was subsequently revised to Rs. 1602=10 and it was pertaining to a period 16 months from June 2002 to August 2003 in place of energy bill for 18 months. Since the Internal Grievance Redressal Unit, upon hearing the matter, ordered revision of this arrear amount of Rs. 1602.10, a revised bill dated 31.03.2006 for Rs. 597=61 came to be issued to the applicant and in that, consumption of only 238 units was charged.

According to the non-applicant, the difference payable by the applicant pertains to only 15 extra units per month and that the energy bill in question cannot be said to be excessive or unjust.

He lastly prayed that the grievance application may be dismissed.

The only point to be decided in this case is whether the revised energy bill dated 31.03.2006 for Rs. 597.61 is legally correct or not.

It is an un-disputed fact that the sum charged in the disputed energy bill pertains to a period of 16 months from June 2002 to August 2003. Evidently this bill was issued much after expiration of a period of two years from the date when this sum became first due. It is also an admitted position that this arrear amount was not shown as continuously recoverable in the applicant's energy bills against consumer no. 426010074786.

In view of this position, the legal provision contained in Section 56 (2) of the Electricity Act, 2003 becomes applicable to the present case. The disputed energy bill in question is dated 31.03.2006. The non-applicant was, therefore, entitled to recover arrear of electricity charges only for 24 months prior to 31.03.2006 and the non-applicant was not permitted by law to recover dues of arrears older than 24 months prior to 31.03.2006. The permissible period of two years with reference to the disputed energy bill dated 31.03.2006 begins from 31.03.2004. Hence, the arrear amount pertaining to the period of 16 months from June 2002 to August 2003 is not recoverable as it is time-barred in terms of Section 56 (2) of the Electricity Act, 2003.

In the result, we allow the present grievance application and direct the non-applicant to withdraw from recovery amount of Rs. 597.61 shown as recoverable erroneously in the applicant's energy bill dated 31.03.2006.

The non-applicant shall report compliance of this order to this Forum on or before 31.05.2006.

Sd/-  
**(Smt. Gauri Chandrayan)**  
MEMBER

Sd/-  
**(S.D. Jahagirdar)**  
CHAIRMAN

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

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