

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

Case No. CGRF(NUZ)/047/2010

Applicant : Shri Bharat Jog
C/o Smt. Charushila Arun Wasu
At: 287/A, Saujanya,
Dharampeth Extn.,
Nagpur.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Congressnagar Division,
Nagpur.

Quorum Present : 1) Smt. Meera Khadakkar
Chairman,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

3) Smt. K.K. Gharat
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 02.08.2010)

The present grievance application has been filed on dated 18.06.2010 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.

1. Shri Bharat Jog, the consumer, has raised an objection in the month of February 2010 regarding issue of exorbitant electricity bill to him for the month January 2010 having an amount of Rs.24,550/. He requested to the non-applicant to withdraw the bill as there is no consumption from the said connection. On receipt of above objection the non-applicant has revised the bill of Rs.24,550/- to Rs.14,100/-. But again this bill was not accepted by the consumer as according to him because of no use of electricity at the said premises, the electricity bill issued by the non-applicant was illegal and the same was not acceptable.

Because of non-payment of charged electricity bill to consumer, the non-applicant has issued a 15 days disconnection notice to the consumer on dated 10.05.2010 and disconnected the supply on 15.6.2010. As the applicant has already raised the objection about the disputed bill to the non-applicant by the letter dated 28.2.2010, hence aggrieved by this the consumer has filed his grievance to the Forum on dated 18.06.2010 and requested to the Forum that

- a) To withdraw the excess bill charged by licensee as there was absolutely no consumption of electricity.
- b) To pay compensation of Rs.5 Lacs for harassment by the non-applicant.
- c) To restore the electricity supply.

2. The consumer has filed present grievance before this Forum. It is his contention that the non-applicant is involved in unfair trade practice and also has deficiency in its services. The consumer was charged huge amount of Rs.24,550/- in the month of January, 2010 by way of illegal demand. He further stated that, he was called upon to pay the amount, but as he did not consume the electricity, he was not liable to pay any amount against electricity consumption.

3. The consumer has further submitted that his electricity supply was disconnected without solving the grievance, which appears to be an attempt to extract money without any reason. The complainant has further submitted that as he had not fulfilled the illegal demand of bribe made by one of the non-applicant's officers for canceling the bill. Hence his electricity connection was cutoff. Because of this unfair trade practices by the non-applicant, the applicant was harassed and therefore prayed for compensation of Rs. 5 Lacs. The complainant has also requested for restoration of electricity connection.

4. The non-applicant has filed reply in the Forum on 05.07.2010. In this the non-applicant stated that the said connection is in the name of Smt. Charushila A. Wasu. The applicant is a user and his connection was permanently disconnected in November, 2008 because of arrears of electricity charges. The same was reconnected

after received due payment. But it was observed in the month of December 2009 that the applicant was not getting electricity bill, therefore the bill was issued in December 2009 on average basis having amount Rs.820/-. There after in the month of January 2010 electricity bill was issued according to consumption of electricity by the applicant for 2994 units and amount of Rs.24,550/-.

On receipt of applicant's complaint for the said bill, it was observed that a mistake had been occurred in calculation of assessment of bill, instead of duration from November 2008 to January, 2010 that is 15 months for electricity consumption only two months had been taken in account. Hence the said bill was revised by giving appropriate "slab benefit".

5. The non-applicant has further submitted that as the applicant has refused to accept the corrected bill sent by Registered post as well as through Junior Engineer, Shankarnagar Sub-Division, MSEDCL. Also inspite of requesting for payment and giving the requisite time as per rule to make payment, the applicant has not paid the bill amount. Therefore the electricity supply was disconnected on 15.06.2010.
6. The matter was heard in the Forum on dated 06.07.2010. Both the parties were present. The non-applicant's side was presented by Shri Deshpande, Dy. E.E. Shankarnagar Sub-Division.

The applicant said that as the premises was being used rarely, the bill which was raised from November 2008 to May 2010 is doubtful. Also the old meter which has been taken out by the non-applicant in the month of November 2008 without giving notice to him, that is why police complaint had been lodged by him. Hence non-applicant's officers are intentionally harassing him.

He has also brought to the notice of the Forum that the persons which come for taking photo reading are either without photo I.D. or with photo I.D. whose validity has been expired. He also raised the doubt about the working of meter as he has been getting bill regularly with excess unit instead of less consumption. The applicant also said that the non-applicant's officer, Junior Engineer at Shankarnagar, Sub-Division has demanded an amount of Rs.5000/- for cancellation of the disputed bill.

7. The non-applicant has clarified its side by admitting that an abnormal delay has been occurred for issue of bill since November 2008. But all the rules are followed to revise the bill and he showed his readiness for testing the meter in front of applicant.

8. In Forum's opinion, it is an admitted position that the applicant was issued the bill of Rs.24,550/- in the month of January, 2010 after lapse of 15 months and latter the said bill was corrected by giving "slab benefit" and the

applicant was directed to pay Rs. 14,100/- by admitting the mistake which was occurred during bill revision. Also it is the applicant's contentions that the premises is less in use and hence the bill raised by the non-applicant is not acceptable. According to him there is a need to test the electrical meter. Considering his submission both the parties were directed to check the applicant's electrical meter in the preserve of applicant.

9. As per testing report the electric meter was checked at Testing Division in the presence of applicant twice. But he has raised objection regarding the correctness of meter during testing. However the testing report is on record which clearly shows that the meter is found in order at both the occasion. The report of the meter is Ok.
10. After hearing both the parties and observing the document on record, the Forum is of opinion that the electrical bill issued to the applicant is according to the meter reading of the applicant, as the meter is Ok. Hence the applicant is bound to pay the electric bill based on his consumption. The applicant's statement that there is absolutely no consumption of electricity cannot be accepted as the meter clearly showed that electricity was consumed at the said connection.

11. From the testing report it is observed that the applicant has raised doubt over working of battery of meter and hence on actual recording by the meter. But the testing division has clearly stated that the battery which is in doubt affects the date and time of meter only and not the recording of the consumption of meter. Hence the applicant's doubt about the abnormal working of meter cannot be accepted. Also this Forum has already observed that the applicant is bound to pay the corrected electric bill. Therefore the non-applicant's action of disconnecting electric supply on account of failure of payment of electricity appears to be lawful.

12. However the Forum is of the opinion that the act of raising an electricity bill of amount Rs. 24,550/- after lapse of 15 months affirms non-applicant's casual and irresponsible behaviour towards consumer services. As per MERC(Electricity Supply Code and Other Conditions of Supply) Regulations, 2005, Section 14.3 for **Reading of Meter:**

“ Meter reading shall be undertaken by the Authorized Representative at least once in every three months in the case of agricultural consumers, and at least one in every two months in the case of all other consumers, unless otherwise specifically approved by the Commission for any consume or class of consumer.”

As the non-applicant has failed to follow the above provision, the applicant is liable for receiving compensation as per MERC(Standards of Performance of Distribution Licensees, Period for Giving Supply and

Determination of Compensation) Regulations, 2005, Appendix 'A', 7 (i), Rs.100/- for first month and there after a 200/- per months for not checking reading for 13 months.

13. Because of non-applicant's irresponsible behaviour the applicant has to suffer mental harassment. Hence this Forum is of the opinion that an amount of Rs.1000/- would be reasonable amount as compensation for mental harassment suffered by the applicant.
14. After hearing both the parties and after considering, material, facts, documents on the record, following orders is passed.

ORDER

The grievance application is partly allowed.

- 1) The applicant's request for withdraw of electricity bill is rejected, and hence for reconnection the consumer has to pay the due bill.

- 2) The non-applicant is directed to pay compensation as per SOP rules for 14 months as Rs.100/- for first month and there after a 200/- per months for 13 months for not taking meter reading
- 3) The non-applicant is further directed to pay an amount of Rs. 1000/- as compensation for mental harassment to the applicant.
- 4) The non-applicant shall carry out this order and submit compliance to this Forum within one month.

(Smt.K.K. Gharat) **(Smt.Gauri Chandrayan)** **(Smt. Khadakkar)**
Member-Secretary MEMBER CHAIRMAN