

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

Case No. CGRF(NUZ)/064/2005

Applicant : Shri Tukaram Mahadeorao Pathrabe,
Plot No. 24, Shastrinagar,
Nagpur – 440 008.

Non-Applicant : The Nodal Officer,
Executive Engineer,
Mahal 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.

ORDER (Passed on 27.10.2005)

The present grievance application has been filed before this Forum on 27.09.2005 in the prescribed schedule “A” by the applicant 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 limited grievance of the applicant is in respect of excessive energy bill dated 13.05.2005 for Rs. 5,580/- for the

period from 14.02.2005 to 13.04.2005 showing high consumption of 1492 units.

Before filing the present grievance application, the applicant had made a complaint, being complaint dated 20.06.2005 addressed to the Chief Engineer, NUZ, MSEDCL, Nagpur with a request to sort out his grievance. However, it seems that the Chief Engineer did not send the applicant's complaint to the Internal Grievance Redressal Unit constituted under the said Regulations for the purpose of redressal of electricity Consumer's grievances. Hence, requirement of the applicant approaching the Internal Grievance Redressal Unit in terms of Regulation 6.3 of the said Regulations stands dispensed with. Such a dispensation has also been confirmed by the MERC.

Neither the Chief Engineer nor the Internal Grievance Redressal Unit provided any remedy to the applicant's grievance within the prescribed period of two months. Hence, the present grievance application.

The matter was heard by us on 25.10.2005 when both the parties present submitted their respective arguments before us in support of their respective claims.

After receipt of the grievance application, the non-applicant was asked to submit before this Forum his parawise remarks on the applicant's application in terms of Regulations 6.7 & 6.8 of the said Regulations. Accordingly, he submitted his parawise report on 07.10.2005. A copy thereof was given to the applicant on 25.10.2005 before the case was

taken up for hearing and he was given opportunity to offer his say on this parawise report also.

It is the contention of the applicant that he received in May, 2005 his energy bill dated 13.05.2005 for the period from 14.02.2005 to 13.04.2005 in which his consumption was shown to be 1492 units during this period which, according to him, is highly abnormal. He contended that he had approached the concerned MSEB Official on 06.06.2005 for correction of this bill immediately after he received the same. However, no cognizance, whatsoever, of his complaint was taken by the concerned MSEB Official. There-upon, he approached the Chief Engineer and filed his complaint application dated 20.06.2005 stating therein that his disputed bill in question was not corrected despite his repeated efforts. The Chief Engineer also did not provide any remedy to his complaint.

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

- 1) His complaint application dated 20.06.2005 addressed to the Chief Engineer, NUZ, MSEB, Nagpur.
- 2) Acknowledgement from the Office of the Chief Engineer, MSEB, NUZ, Nagpur in token of having received the applicant's application dated 20.06.2005.
- 3) His energy bill dated 12.09.2005 for Rs.11,600/- for the period from 13.06.2005 to 13.08.2005 for 568 units showing inclusion of arrear amount of Rs. 9273=53.

- 4) His energy bill dated 13.07.2005 for Rs.9210/- for 906 units for the period from 13.04.2005 to 13.06.2005 showing inclusion of arrear amount of Rs.5675=96.
- 5) His disputed energy bill dated 13.05.2005 for Rs.5580/- for the period from 14.02.2005 to 13.04.2005 showing inclusion of arrear amount of Rs. 1389.92/- and showing his consumption of 1492 units during this period of two months.
- 6) His energy bill dated 16.03.2005 for Rs. 1370/- for the period from 14.12.2004 to 14.02.2005 for 380 units.
- 7) Payment receipt dated 31.01.2005 for Rs.2670/.
- 8) His energy bill dated 14.01.2005 for Rs.2670/- for the period from 15.10.2004 to 14.12.2004 showing consumption of 380 units and inclusion of arrear amount of Rs. 1325=13.
- 9) His energy bill dated 16.11.2004 for Rs.1300/- for the period from 07.08.2004 to 15.10.2004 showing consumption of 380 units.

Relying on the documents produced by him, the applicant strongly contended that his meter, being meter number 9001089469, was faulty since April, 2003 and further that this faulty meter was changed by the non-applicant on 18.11.2004. The new meter installed was showing initial reading of 05 units when installed. He added that his energy bill dated 13.05.2005 showing consumption of 1492 units was highly excessive and that it was not commensurate with his consumption pattern.

He lastly prayed that his grievance may be removed and his excessive bill dated 13.05.2005 may be revised.

The non-applicant has stated in his parawise report that the applicant's meter, being meter number 1089469, was faulty since April,2003 and hence, average bill of 380 units for two months was charged to the applicant till his faulty meter was replaced by a new meter, being meter No. 3025183. He added that the applicant's faulty meter, being meter No. 1089469, was replaced on 04.01.2005 and not on 18.11.2004 as claimed by the applicant. In December 2004, average bill of 380 units was sent to applicant and he paid the same. In February 2005, meter change status was shown in the bill and a bill of average consumption 380 units for two months was given to the applicant which he did not pay.

He further stated that the final meter reading was 1497 units in the month of April, 2005 while initial reading was 05 units. This bill was pertaining to a period of four months from January, 2005 to April, 2005 and for $(1497-5=)$ 1492 units. A credit of Rs. 1259.55/- was given to the applicant in April, 2005 since additional charge for average 380 units was included in it inadvertently. All these relevant details are reflected in the applicant's C.P.L. a copy of which has been produced on record by the non-applicant. All the bills from 13.06.2005 are as per metered readings and hence, they are correct.

According to the non-applicant, the applicant did not pay his energy bills since 31.01.2005.

He lastly prayed that the applicant may be directed to pay the outstanding bill of Rs.11895=28 + D.P.C. at the earliest.

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

The applicant's limited grievance is about his energy bill dated 13.05.2005 which, according to him, is showing consumption of 1492 units and that this consumption is disputed by him, it being abnormally high.

In the first place, it is revealed that the applicant's consumption of 1492 units shown in the disputed energy bill pertains to a period of four months. This yields an average per month of as many as 373 units. If the applicant's subsequent bills which are acceptable to him are perused, they are showing somewhat similar pattern of monthly consumption of the applicant. For example, the applicant's subsequent energy bill dated 13.07.2005 shows bi-monthly consumption of 906 units. This means that his per month average consumption was 453 units. His another subsequent bio-monthly energy bill dated 12.09.2006 produced on record shows consumption of 568 units which yields an average of 284 units per month. This demonstrates that his energy bill dated 13.05.2005 showing consumption of 1492 units over a period of four months can not be said to be un-reasonable since it is showing his average monthly consumption of 373 units.

The applicant's energy bill dated 13.05.2005 also clearly shows that final reading recorded as on 13.04.2005 on

his meter was 1497 units while its initial meter reading was 5 units. This bill also shows that the applicant has been given a credit of Rs. 1252=35 as rightly stated by the non-applicant. This credit pertains to the inadvertent additional charging of average of 380 units in addition to his actual consumption of 1492 units.

Hence, the applicant's contention that his disputed energy bill is not commensurate with his normal pattern of consumption is not justified. The applicant did not pay his previous energy bill dated 16.03.2005 and hence amount of this previous bill was included as an arrear amount in his subsequent bill dated 13.05.2005. The total aspect of working out this bill of Rs. 5580/- seems to be quite correct and reasonable.

We, therefore, do not see any substantial reason to order correction of the bill dated 13.05.2005.

The contentions raised by the applicant in support of his claim are not found by us to be justified.

It is pertinent to note that in the instant case the applicant's meter was faulty since April, 2003. This faulty meter came to be changed by the non-applicant on 04.01.2005 as stated by him. Till this faulty meter was changed, the applicant has been charged on the average basis 380 units for every two months i.e. only 190 units per month. The applicant also has no complaint in respect of average billing of 190 units per month for the period during which his meter was faulty.

In the result, we are inclined to hold and do hold accordingly that the applicant has not able to prove his case. The applicant should pay all the outstanding dues before 10.11.2005.

In the light of above, the applicant's grievance application stands rejected.

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**