

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

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**Case No. CGRF(NUZ)/068/2005**

- Applicant : M/s. Rukhmini Enterprises &  
Fabricators,  
116, Nari Small Industrial Lay-out,  
Behind Nari Exchange,  
Nagpur- 440 026.
- Non-Applicant : The Nodal Officer  
Executive Engineer,  
Civil Lines 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 25.11.2005)**

This grievance application has been filed on 31.10.2005 in the prescribed schedule "A" 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 since the applicant is aggrieved by the alleged erroneous action of the non-applicant in respect of incorrect, un-timely and excessive energy bills issued to the applicant.

The facts, of the case, in brief, are as under.

The applicant is running a Small Scale Industrial Unit at Nari Small Scale Industrial Layout, Nagpur. His electricity meter, being meter number 8394, was changed on 20.08.2002 and a new meter, being meter number 1706630, was installed in place of this meter with initial reading of 00004. The final reading of the replaced meter was 1283 at the time of its replacement. The applicant has paid all his energy bills upto 08.10.2002. There is no complaint from either side till this date. The applicant made payment of Rs.4582/- towards his energy bill against his meter, being meter number 1706630 on 08.10.2002. The applicant's supply of electricity was disconnected on 15.06.2003 because of non-payment of electricity dues from 08.10.2002 onwards. The final reading of the meter at the time of disconnection of power supply was 2424 according to the non-applicant. This aspect of final reading is disputed by the applicant and according to him, this final reading was 887 and not 2424 as claimed by the non-applicant. Moreover, the applicant has also disputed that his power supply was disconnected on 23.04.2003 and not on 15.06.2003 as stated by the non-applicant. The applicant's power supply was restored on 27.10.2004 through a new meter, being meter number 6000532516 with initial reading of 00008 because the applicant made payment of Rs.5400/- on 17.09.2004 as per the provisional bill issued to him by the non-applicant.

The power supply of the applicant was again disconnected temporarily on 30.08.2005 when the reading of

the meter was 4169 again on account of non-payment of electricity dues by the applicant. The applicant's power supply was permanently disconnected on 04.10.2005. The amount outstanding against the applicant till June-2005 was to the tune of Rs.25421.18 against which the applicant paid an amount of Rs.20,000/- in cash on 08.10.2005. In view of this payment, the applicant's power supply was restored on 10.10.2005 by installing a new meter, being meter number 533945 with initial reading of 00010. According to the non-applicant, the net amount outstanding upto September,2005 against the applicant is only Rs.82.75. The applicant is not satisfied with the actions taken by the non-applicant and hence he has approached this Forum for redressal of his grievance.

Before approaching this Forum the applicant had filed his applications, being applications dated 11.06.2004 and 29.06.2004 addressed to the Executive Engineer, Civil Lines Division, MSEDCL, Nagpur raising his grievances. However, according to him, no satisfactory remedy has been provided by the Executive Engineer in respect of his present grievance. Since the applicant had earlier approached the Executive Engineer, Civil Lines Division, Nagpur and since satisfactory remedy was not provided to him to his satisfaction, the requirement of applicant approaching the Internal Grievance Redressal Unit stands dispensed with. Such a dispensation is also confirmed in general by the MERC.

In view of above, filing of the present grievance application by the applicant is quite in order under the said Regulations.

The applicant's contention is that he had approached the Executive Engineer, Civil Lines Division, Nagpur right from the year 2003 till October, 2005 and also his subordinate Officers for taking cognizance of his complaint of incorrect and excessive billing. However, according to him, no satisfactory remedy was provided to him in response to his complaints.

He vehemently argued that his first disconnection of power supply was effected on 23.04.2003 and not on 15.06.2003 as claimed by the non-applicant. His another strong contention is that his meter reading of meter, being meter number 1706630, was 887 when this meter was permanently disconnected and not 2424 as claimed by the non-applicant.

He added that his old meter, being meter number 8394, was functioning alright and that he has made all payments of his energy bills regularly from time to time. According to him, when the electronic meter, being meter number 1706630 was installed on 20.08.2002, his energy bills against this meter could not be paid by him because they were all incorrect. He was also sick in between and hence could not complaint to MSEB Officials in writing about the incorrect bills received by him against this electronic meter. He has filed his application, being application dated 20.06.2003, addressed to the Executive Engineer, MSEB Nagpur requesting therein

to correct his excessive bills issued against this electronic meter and to give correct bills to him.

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

- 1) His application dated 27.10.2005 addressed to the Executive Engineer, Civil Lines Division, MSEDCL, Nagpur on the subject of correction of incorrect energy bills.
- 2) Provisional bill dated 28.10.2005 for Rs.1500/- issued by the Lashkaribag Office, MSEB showing bill amount of Rs.8670/- before correction of the bill.
- 3) Spot inspection report dated 25.10.2005 of the Jr. Engineer, Nara D.C., Civil Lines Division, Nagpur in respect of his meter, being meter number 532516.
- 4) His energy bill dated 15.10.2005 for Rs.8670/- for the period from 31.08.2005 to 30.09.2005 showing inclusion of arrear amount of Rs.8046.88/-.
- 5) Payment receipt number 082779 dated 10.10.2005 for Rs. 150/-.
- 6) Payment receipt number 1767092 dated 08.10.2005 for Rs.20,000/-.
- 7) Provisional bill dated 07.10.2005 for Rs. 20,000/- issued against previous bill of Rs.28050/-.
- 8) His energy bill dated 12.09.2005 for Rs.28040/- for the period from 31.07.2005 to 31.08.2005 showing inclusion of arrear amount of Rs.25058.71.

- 9) His energy bill dated 12.08.2005 for the period from 30.06.2005 to 31.07.2005 for Rs.27450/- showing inclusion of arrear amount of Rs.26440.02.
- 10) His energy bill dated 10.06.2005 for 6598 units of Rs.25980/- from 30.04.2005 to 31.05.2005 showing inclusion of arrear amount of Rs.22738.09.
- 11) Payment receipt dated 21.07.2005 for Rs.20,000/-.
- 12) Provisional bill dated 20.07.2005 for Rs.20000/- against energy bill for Rs. 25420/-.
- 13) His energy bill dated 13.05.2005 for the month of April 2005 for 659 units for Rs.22700/- showing inclusion of arrear amount of Rs.20113.49.
- 14) His energy bill dated 13.04.2003 for 300 units for March,2005 for an amount of Rs. 20,090/- showing inclusion of arrear amount of Rs. 18,837.37.
- 15) His energy bill dated 14.03.2005 for February, 2005 for 1723 units for Rs.18540/- showing inclusion of arrear amount of Rs.5397.33.
- 16) His energy bill dated 11.02.2005 for January, 2005 for 823 units for Rs. 5350/- showing inclusion of arrear amount of Rs.2487.25
- 17) Payment receipt dated 24.09.2004 for Rs. 1251/-
- 18) Payment receipt dated 17.09.2004 for Rs. 5400/-
- 19) Non-applicant's provisional bill for Rs.5400/-
- 20) His application dated 17.09.2004 addressed to the Assistant Engineer, Lashkaribag area, NUZ, MSEB, Nagpur regarding restoration of power supply.

- 21) His application dated 13.09.2004 addressed to the Executive Engineer, MSEB, Nagpur on the subject of issuance of provisional energy bill.
- 22) Spot inspection report dated 20.07.2004 of the Jr. Engineer, Kamptee Road, D.C., MSEDCL, Nagpur in respect of the applicant's meter, being meter number 1706630, recommending revision of applicant's energy bills on the basis of its final reading of 00887.
- 23) His application dated 29.06.2004 addressed to the Executive Engineer, Civil Lines Division, MSEB, Nagpur regarding restoration of his power supply.
- 24) The non-applicant's P.D. report dated 10.06.2004 in respect of applicant's meter, being meter number 1706630.
- 25) His energy bill dated 20.05.2003 for the period from 01.03.2003 to 30.04.2003 for Rs.17860/- showing inclusion of arrear amount of Rs. 15954=27.
- 26) His energy bill dated 19.04.2003 for the period from 18.02.2003 to 10.04.2003 for Rs. 15920/- showing inclusion of arrear amount of Rs. 14028.86.
- 27) His energy bill dated 13.03.2003 for Rs. 14080/- for 952 units for the period from 18.12.2002 to 13.02.2003 showing inclusion of arrear amount of Rs. 11,122.79/-.
- 28) His energy bill dated 09.01.2003 for 1927 units for Rs.11,020/- for the period from 18.10.2002 to 18.12.2002 showing inclusion of arrear amount of Rs.5382.56/-.

- 29) His energy bill dated 12.11.2002 for 929 units for Rs.5330/- for the period from 20.08.2002 to 18.10.2002.
- 30) The Chief Engineer's notice dated 06.09.2002 in respect of disconnection of the applicant's power supply.
- 31) His energy bill dated 14.09.2002 for 506 units for Rs.8507/- for the period from 21.06.2002 to 20.08.2002 showing inclusion of arrear amount of Rs.4589.11.
- 32) His energy bill dated 10.07.2002 for 668 units for Rs.4580/- for the period from 19.04.2002 to 19.06.2002.
- 33) His application dated 11.06.2004 addressed to the Executive Engineer, Civil Lines Division, NUZ, MSEDCCL, Nagpur on the subject of restoration of power supply.
- 34) Letter dated 19.05.2004 addressed to the Officer In-charge, Kamptee Road D.C. by the Junior Engineer, (Consumer Cell), Lashkaribag S/Dn., asking the Officer to report meter change details.
- 35) His application dated 20.06.2003 addressed to the Executive Engineer, MSEB, Nagpur on the subject of temporary surrender of his meter.

Relying on the above documents, the applicant's contention is that incorrect and excessive bills have been issued by the non-applicant there-by causing avoidable



harassment to him. He also contended that the permanent disconnection of his meters was improper & unjust.

He lastly prayed that the non-applicant be directed to issue corrected energy bill to him.

He has also demanded compensation on account of industrial losses caused to him because of wrong actions of the non-applicant.

The non-applicant has stated in his parawise report dated 08.09.2005 that the applicant did not pay any amount of his energy bill after 08.10.2002 and hence power supply was disconnected on 15.06.2003 when his meter, being meter number 1706630 was showing final reading of 2424. This meter was an electronic meter installed at the premises of the applicant on 20.08.2002 replacing his old meter, being meter number 8394.

According to him, the power supply of the applicant was restored on 27.10.2004 and a new meter, being meter number 6000532516, was installed at his premises with initial reading of 00008. The reason for restoration of applicant's power supply was that the applicant's final P.D. bill was prepared in September, 2004 and the applicant had paid an amount of Rs. 5400/- on 17.09.2004 out of total payable amount of Rs. 7870.83. At that time, credit of Rs.16,618.33 was given to the applicant. The applicant's power supply was again permanently disconnected on 27.10.2004 when his meter, being meter number 6000532516, was showing final reading of 4169 because of non-payment of outstanding dues.

According to the non-applicant, an amount of Rs.25421.18 was outstanding against the applicant upto June,2005. Against this amount, the applicant has sent a cheque dated 21.07.2005 for Rs. 20,000/- for liquidation of the arrear amount. This cheque was bounced and was returned to the applicant since he had no money in his account against which he had issued his cheque dated 21.07.2005. There-upon, the applicant paid amount of Rs.20,000/- in cash on 08.10.2005 and his power supply was restored on 10.10.2005. At this point of time, a new meter, being meter number 533945, was installed with an initial reading of 00010 in place his previous meter, being meter number 6000532516. The meter reading shown by this new meter was is 00084 as an 04.11.2005.

He added that an amount of Rs.8582.84 has been reduced from the applicant energy bill considering his complaints and that the net amount payable by the applicant as in September, 2005 comes to Rs.82.75 only.

The non-applicant has produced spot inspection report dated 04.11.2005 duly signed by the Jr. Engineer, Nara D.C., MSEDCL, Nagpur in respect of the applicant's meter, being meter number 533945.

He has also produced the applicant's CPL from the billing month of July,2003 to September,2005 in support of his contentions.

He has lastly prayed that there is now no substance in the applicant's grievance application adding that the grievance application in question may be rejected.

We have carefully gone through the documents produced on record as also all submissions made before us by both the parties.

It is seen in the instant case that the applicant's meters were changed on 20.08.2002, 15.06.2003 and 27.10.2004. The reasons for the first change of his meter, being meter number 8394, on 20.08.2002 seems to be that an electronic meter, being meter number 1706630, was installed in place of the applicant's old electro-mechanical meter. The applicant has no complaint in respect of readings recorded by his old meter, being meter number 8394. The applicant's complaint is that his energy bills issued against the electronic meter were never correct and hence he did not pay the bill amounts generated by this electronic meter. He has, however, admitted that he did not make any complaint in writing to the non-applicant in respect of the bills generated by the electronic meter. His application dated 20.06.2003 produced by him on record confirms this fact. Evidently, there is therefore, no substance in the applicant's complaint which he made after replacement of his electronic meter in respect of improper bills generated by this electronic meter.

Never less, his say that his electronic meter, being meter number 1706630, was changed by the non-applicant at a final reading of 887 deserves to be accepted. The reason is that the documentary evidence produced by him in the shape of Junior Engineer's spot inspection report dated 20.07.2004 clearly makes a mention that his electronic meter was showing final reading of 00887 when it was replaced by another meter,

being meter number 6000532516. The non-applicant contention that the electronic meter installed on 20.08.2002 was showing final reading of 2424 on 15.06.2003 when it was replaced by another meter cannot be accepted by us considering the reliable piece of evidence submitted by the applicant before us.

The applicant has also stated that his meter, being meter number 1706630, was replaced on 23.04.2003 and not on 15.06.2003 as contended by the non-applicant. This statement cannot, however, be accepted by us since no evidence, whatsoever, has been produced by the applicant to substantiate this say. Hence, the fact remains that the applicant's electronic meter, being meter number 1706630, was replaced on 15.06.2003 by the non-applicant when it was showing final reading of 887 and not reading of 2424. Here, the applicant deserves to be given due credit in his energy bill for  $(2424-887=)$  1537 units from 15.06.2003 onwards. Interest charged in the applicant's bill amounts in respect of this excess number of units in his subsequent bills also needs to be waived by the non-applicant.

It is evidenced by record substantially that the applicant's power supply was disconnected rightly by the non-applicant on account of failure of the applicant to pay the requisite amount of energy bills during the relevant periods. Instead of not paying his bill amounts, the applicant could have paid the amount of disputed energy bills under protest and continued his complaint. However, this has not been done

by the applicant with the result that his power supply came to be disconnected on 15.06.2003 and 27.10.2004.

Record also shows that the applicant has been given credit of Rs. 16,818.33 and he was charged an amount of Rs.7670.83 in September,2004 when his P.D. final bill against his meter, being meter number 1706630, was worked out. The applicant had paid an amount of Rs.5400/- on 17.09.2004 and the outstanding amount against him was Rs.2470.83 as on 17.09.2004. Because of payment of Rs.5400/- by the applicant on 17.09.2004, the applicant's power supply was restored by installing a new meter, being meter number 6000532516 with initial reading of 00008. This meter was removed on 27.10.2004 at a final reading of 4169 again because of non-payment of amount of energy bills by the applicant. Nothing improper & unjust seems to have happened in respect of billing the applicant against his meter, being meter number 6000532516. No concrete and cogent proof is also forth-coming from the applicant in the context of his complaint about improper removal of his electricity meters. On the contrary, the record shows that the applicant's power supply was disconnected on different occasions because of non-payment of energy bills by the applicant.

It is also seen that the applicant's outstanding amount as evidenced by the CPL was Rs. 25419.18 upto June,2005 which he did not pay till 08.10.2005. He paid an amount of Rs.20,000/- in cash on 08.10.2005 against this outstanding arrear amount.

It is also pertinent to note that the cheque dated 21.07.2005 for Rs.20,000/- deposited by the applicant was bounced and hence this necessitated the applicant to make payment of Rs. 20,000/- in cash on 08.10.2005. Moreover, the applicant has admitted before us during the course of hearing that he did not make this cash payment of Rs.20,000/- under protest. As laid down in Regulation 6.4 of the said Regulations, grievance in respect of recovery of arrear amount of the bill if not disputed is excluded from the jurisdiction of CGRF. In view of this position, the applicant's complaint in respect of wrong arrear amount cannot be accepted by us.

There seems to be no complaint from either side in respect of readings, shown by the applicant's new meter, being meter number 533945, which was installed on 10.10.2005.

It is also seen that the non-applicant has reduced amount of Rs.8582.84 additionally from the applicant's energy bills.

According to the non-applicant the net amount payable by the applicant up-to September,2005 comes to Rs.82.75. However, as held by us above, the applicant needs to be given additional credit for charge for 1537 units right from 15.06.2003 onwards.

In the light of above, we partially accept the applicant's grievance application and direct the non-applicant that he should give credit for charge for 1537 units from 15.06.2005 onwards in his energy bills and further that interest charged on these 1537 excessive units from 15.06.2005 onwards be waived.

We further direct the non-applicant should submit compliance of this order to this Forum on or before 30.11.2005.

Looking to the circumstances of the case, the applicant's request for awarding compensation to him for industrial losses cannot be granted by us.

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**

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