

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

Case No. CGRF(NUZ)/60/2012

Applicant : M/s. Gitashri Agro Industries,
At 174B-East Wardhamanagar,
NAGPUR.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
M.S.E.D.C.L. NAGPUR.

Quorum Present : 1) Shri. Shivajirao S. Patil
Chairman,

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER PASSED ON 24.7.2012.

The applicant filed present grievance application before this Forum on 11.6.2012 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

1. The applicant's case in brief is that the Applicant has Industrial power connection with a connected load of 17 KW and demand of 7 KVA. Till the mid of March 2011 the supply to the applicant was given through Meter No. 65/01940890. In the middle of March 2011, this meter was

burnt and was replaced by meter No. 40306897. Thereafter, this meter was also burnt on 15.1.2012 and was replaced by meter No. 90/04000480 on 17.1.2012. During the intervening period the applicant was issued bills for '0' consumption. In the month of February 2012 bill was issued for Rs. 131630/-, which the applicant did not pay and contacted officers of M/s. SPANCO about this bill. In March 2012, the applicant again received a bill showing the amount of Rs. 141110/- and showing the arrears of Rs. 131632.47. Again the applicant approached officers of M/s. SPANCO, who informed that average billing was carried out as the initial reading of the meter was not available. The applicant approached to Nodal officers of M.S.E.DC.L. for providing the information to advise M/s. SPANCO to issue correct bill as the matter was under dispute. The applicant was allowed to pay current bill of Rs. 17,180/- which was paid by the applicant on 31.3.2012. The applicant filed application to I.G.R.C. in the month of April 2012 and I.G.R.C. decided the matter on 30.4.2012. In the order, it has been mentioned that neither the initial reading nor the final reading of meter No. 40306897 is available. In fact, this meter number has also not been fed to the I.T. system and no intermediate readings were taken from March 2011 to January 2012. The order further says that in the absence of both initial and final reading of the said meter No. 40306897, it is not possible to determine the exact consumption. M/s. SPANCO had raised the bill for the period of 10 months based on average consumption after the new meter was installed on 17.1.2012 and hence the billing is

correct. In the mean while, M/s. SPANCO has illegally disconnected the supply without any notice. Therefore the applicant filed present grievance application and claimed –

- i) Directives to M/s. SPANCO to reconnect the supply without charging any reconnection charges.
- ii) Direct the SPANCO to rework the bill only for 3 months considering the average of 12 months metered consumption immediately preceding 3 months.
- iii) Not to charge any interest or penal charges.
- iv) Give details of calculation of bill.
- v) To pay adequate compensation for harassment.

2. Non applicant denied the applicant's case by filing reply Dt. 2.7.2012. It is submitted that the applicant is a consumer having Consumer No. 410014975440. Consumer had meter No. 01940890 installed in their premises prior to January 2012. Based on this meter, consumer was billed as per consumption till February 2011. Meter No. 01940890 was replaced by meter No. 40306897 by M.S.E.D.C.L. However, CPL nowhere makes a mention of meter No. 40306897. The fact that meter No. 40306897 was installed by M.S.E.D.C.L. at the applicants premises and this fact is clear from the meter replacement report Dt. 17.1.2012. Now meter No. 4000480 installed by M/s. SPANCO on 17.1.2012. CPL continued to show meter No. 65/01940890 till January 2012 as against the fact that there was actually meter bearing No. 40306897 already installed at applicants premises from March 2011 till

January 2012 which was not fed to I.T. system. The consumer approached on 16.1.2012 for burnt meter complaint. Demand note for meter charges was served to the consumer and consumer paid the same. At the time of replacement it was found that meter No. 40306897 was at site and not 01940890. This is clearly mentioned in the meter replacement sheet. It means meter No. 40306897 was installed in consumers premises and was in working condition till January 2012. For further verification of NIL consumption from March 2011 to December 2011, old reading sheets were studied. Due to non availability of reading sheet from March 2011 to August 2011, the assessment was done from March 2011 to December 2011, considering the consumption pattern of new meter No. 4000480 installed on 17.1.2012. Consumption of new meter was 1410 units from 17.1.2012 to 5.2.2012 i.e. 1410 units in 20 days i.e. 70.5 units per day. Consumer was in fact billed for 310 days instead of 323 days. As such during January 2012 billing month consumer is additional billed for 21875 units for the above mentioned period as per the current consumption trend as previous meter's initial reading was not available. Past pattern of consumption prior to March 2011 is also matching with pattern of consumption calculated by M/s. SPANCO. Consumer kept mum for the period of 10 months when he was receiving '0' consumption bill. Notice Dt. 3.3.2012 was issued to the applicant for non payment of energy bill. Consumer should have paid disputed amount under protest to avoid disconnection but he failed to do so.

3. Forum heard the arguments of both the sides and perused the record.

4. During the course of hearing matter was compromised between both the parties and both the parties filed joint pursis Dt. 11.7.2012 as under :-

Both the parties mutually agreed to settle the case as under :-

1) For disputed period from first March 2011 to 17.1.2012, the billing will be carried out on the following basis :-

a) For the month of March to May 2011, the consumption to be treated as NIL.

b) For the period June 2011 to 17.1.2012, billing shall be worked out on the basis of average consumption of 1667 units per month. (Interest and DPC for disputed period to be waived).

c) Revised bill as per above and for unbilled period of April 2012 shall be provided to the consumer within 2 days.

d) Consumer shall be allowed to make the payment in 2 equal installments.

e) First installment is to be paid immediately and second to be paid along with next months current billing.

2) On compliance of above, the dispute prior to 6th of July stands resolved.

3) In view of above mutual consent the applicant hereby withdraws the grievance application filed before C.G.R.F.

Therefore matter is compromised between the parties and hence grievance of the applicant is fully satisfied. Therefore Forum proceeds to pass the following order :-

ORDER

- 1) Matter is compromised between the parties and grievance of the applicant is fully satisfied. Therefore grievance application is hereby disposed off.

Sd/-	Sd/-	Sd/-
(Smt.K.K.Gharat)	(Adv.Smt.GauriChandrayan)	(ShriShivajirao S.Patil)
MEMBER	MEMBER	CHAIRMAN
SECRETARY		