

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

Case No. CGRF(NUZ)/035/2015

Applicant : Shri Ganpat M.Shende,
User, Amol G. Shende,
162, Vrindawan Nagar,
Binaki,
Nagpur : 17.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
MSEDCL,
NAGPUR.

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

2) Adv. Subhash Jichkar
Member.

3) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 19.3.2015.

1. The applicant filed present grievance application before this Forum on 18.2.2015 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. Applicant's case in brief is that he received excessive bills. In the month of April 2014, he received bill for 1661 units for 2 months & in August 2014, he received bill for 3987 units for 2 months. These bills are excessive. Therefore bills may be revised.

3. Non applicant denied applicants case by filing reply Dt. 27.2.2015. It is submitted that there was complaint of fastness of meter. Therefore meter of the applicant is replaced on 3.11.2014 and old meter is tested in the laboratory. It is found O.K. Grievance application may be dismissed.

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

5. It is true that in the month of April 2014, consumption is shown 1661 units for 2 months and in August 2014 3987 units for 2 months. In March 2014, there was Inaccessible Status and again in July 2014 there was Inaccessible status.

6. We have carefully perused spot inspection report and connected load also verified personally from the applicant. The applicant admitted before the Forum that there are 12 rooms. Out of those 12 rooms, tenants were residing in 6 rooms. In remaining six rooms, there are two families of 2 different brothers and one mother. Therefore there is tremendous connected load. Needless to say that it is the tendency of tenants to utilize the electricity excessively specially when Land Lord agrees to pay the bills. Therefore it is but natural that there must be heavy consumption of the applicant, his family members and his tenants.

7. Record shows that meter of the applicant is tested in meter testing laboratory of SNDL and it is found O.K. Therefore whatever energy is consumed by the applicant is recorded by the meter.

8. However, important question arose for our determination whether the meter reader took proper meter reading. For that purpose, as per directions of the Forum, SNDL had produced M.R.I. data on record. There is separate column of "Active Energy Consumed (Kwh)". In this MRI data, consumption since December 2013 to November 2014 is given. If we compare this consumption in MRI data with CPL of the applicant, it is crystal clear that there is no consistency regarding the consumption shown in MRI data and CPL of the applicant. Therefore it is clear that Meter Reader has not taken accurate meter reading as per factual position. Therefore, it is necessary to revise the bill as per the consumption appearing in MRI data and applicant is entitled for slab benefit. Furthermore, admittedly bill of April 2014 for 1661 units is for 2 months and bill for August 2014 for 3987 units is also for 2 months. It is the duty of Distribution Licensee / Franchisee to issue monthly bills. It is really burdensome to any person if directed to pay bill of two months at once in one stroke. Therefore this practice is not proper to issue bill for more than 2 months and if it is so issued, suitable installments must be granted to the consumer because it is not his fault. Entire economy and budget of the family can be collapsed in case directed to pay the bill for more than one month. Therefore S.N.D.L. is directed to issue monthly bill to the consumers.

9. It is also rather surprising to note that in the month of May 2012, reading is only 64 units. In May 2014 '0' units and in January 2014 96 units. These negligible readings are also suspicious. Therefore, meter reader must have played certain mischief with fraudulent intention to suppress meter reading. It is expected that superior officers of S.N.D.L. shall keep close watch of such mischief of meter reader in future.

10. It is pertinent to note that this grievance application is pending before the Forum. Today in first half of the day, suddenly applicant and his old mother appeared in the Forum and orally complained that though his matter is pending before the Forum, today officers / staff of S.N.D.L. and some lady police came to his house and without service of statutory notice u/s 56 of Electricity Act 2003, disconnected the supply illegally. Small son of the applicant is sick in the house. Forum immediately enquired to Shri Dahasahastra, officer of S.N.D.L. who was present before the Forum as to how there is disconnection without the statutory notice and it is not proper specially when the matter is subjudice before the Forum. Shri Dahasahastra, representative of S.N.D.L. before the Forum immediately contacted the concerned officers deputed for recovery & disconnection and directed to reconnect connection of the applicant, which was illegally disconnected. Assurance was given to Forum that staff of SNDL is deputed again to the spot and arrangement is made to restore the connection immediately. These activities are definitely illegal, improper and unjustified. Officers of SNDL shall bear in mind that they can not disconnect electricity without service of statutory notice u/s 56 of Electricity Act 2003 and specially when the matter is subjudice before the Forum. They are expected to wait till Judgement in the matter. We hope progressive attitude of SNDL in future.

11. With these observations, Forum proceeds to pass following order :-

ORDER

- 1) Grievance application is partly allowed.
- 2) SNDL is hereby directed to revise the bill of the applicant for April 2014 and August 2014 by considering the actual consumption of

the applicant in MRI data and shall give slab benefit to the applicant.

- 3) S.N.D.L. is at liberty to grant suitable installments for payment of arrears amount to the applicant.
- 4) S.N.D.L. is hereby directed not to disconnect supply of any consumer for arrears amount without service of statutory notice u/s 56 of Electricity Act 2003.
- 5) Compliance should be reported within 30 days from the date of this order.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN