



CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L., PUNE ZONE, PUNE

Case No. 39/2017

Date of Grievance : 25.04.2017

Date of Order : 09.06.2017

In the matter of exorbitant billing.

Sant Gorobakaka Aani Vithalmandir,
Through - Raj Balbhim Kumbhar,
S.No.34, Tukai Darshan, Kale padal,
Hadapsar, Pune- 411028

Complainant

(Herein after referred to as Consumer)

Versus

The Executive Engineer,
M.S.E.D.C.L.,
Bundgarden Division,
Pune -411004.

Respondent

(Herein after referred to as Licensee)

Quorum

Chairperson

Member Secretary

Member

Mr. S.N.Shelke

Mrs. B.S.Savant

Mr. S.S.Pathak

Appearance

For Consumer

Mr. Raj Balbhim Kumbhar (Representative)

For Respondent

Mr. Pandit, Addl.Ex.Engineer,
Hadapsar Sub-division.

Mr.Sanjay Gaikwad, Asstt.Acctt.
Hadapsar Sub-division.

1. The Consumer has filed present Grievance application under regulation No. 6.4 of the MERC (CGRF& E.O.) Regulations 2006. Herein referred to as the Regulations.
2. Being aggrieved & dissatisfied by the order dated 20/01/2017 passed by IGRC Rastapeth Urban Circle, Pune , the consumer above named prefers the present grievance application on the following amongst other grounds.

3. The papers containing the above grievance were sent by the forum to the Executive Engineer, Bundgarden Division vide letter No. EE/CGRF/PZ /173 Dated 25/04/2017. Accordingly the Distribution License filed its reply on 12/05/2017.
4. We heard both sides at length, gone through the contentions of the consumer and reply of the respondent & documents placed on record by the parties.
5. The facts giving rise to the grievance may be stated as under :

The consumer namely, Sant Gorobakaka Aani Vithalmandir having consumerno.160232500104 with sanctioned load 1.00 kw was connected on 17.04.2008 in the category, LT-1-Residential 1 Phase. The consumer regularly pays energy bills. In the month of March-2016 the Licensee issued bill of Rs.3,56,340/- for 22,437 units. The consumer was surprised upon receipt of the said bill, since its consumption is 45 to 50 units per month. The consumer made several complaints about the said exorbitant bill but the Licensee did not take any cognizance. Thereafter the consumer made complaint to the IGRC on 28.11.2016. The IGRC vide impugned order dated 20.1.2017 directed the Licensee to inform the consumer as to how the correction was made in the disputed energy bill. However the consumer did not get any response from the Licensee about the details of correction of the bill. Then the consumer approached to the Forum on seeking relief to set aside the exorbitant bill issued by the Licensee & to issue the revised bill as per average consumption.
6. The consumer representative Mr.Raj Kumbhar submitted that in the month of March-2016 they received exorbitant energy bill of Rs.3,56,340/- for 22637 units. On the contrary, average monthly consumption of the consumer is of only 45 to 50 units. The consumer has regularly paid the earlier bills. Therefore the consumer was shocked after getting the said exorbitant bill. They made complaints about the said bills to the Licensee but they did not take any cognizance. On the contrary, they removed the electric meter without any notice. Then consumer partly deposited Rs.25,000/- against the disputed bill. Thereupon the Licensee restored the supply. The consumer made complaint to IGRC it directed the Licensee to inform the consumer in what way the disputed bill was corrected. But the Licensee did not give any

- explanation about the details of the corrections. He submits that the disputed bill be revised and be directed to be reissued as per average consumption.
7. On the other hand, Mr.Dandge, Addl.Ex.Engineer, Hadapsar Sub/dn. submitted that from July 2010 to Feb.2015 bills were issued to the consumer as per meter reading. Thereafter from March-2015 to Feb2016 average bills will issued to the consumer showing faulty status of the meter. The concerned Section Officer, Bhekarainagar submitted spot inspection report on 23.2.2016 stating that the meter was not faulty but progressive reading 25510 was informed to the consumer. Thereafter the bill for Rs.3,56,073/- was issued to the consumer. The Licensee made bill verification & prepared B-80 of Rs.1,36,804/- & amount of Rs.2,87,073/- was issued to the consumer. The consumer failed to deposit the amount of disputed bill. Therefore supply was disconnected. The consumer paid partly amount of Rs. 25,000/-. Then supply was restored. The Licensee has revised consumers bills by giving necessary credit. Therefore he submitted that the grievance of the consumer be rejected.
 8. It is seen from CPL that the consumer meter was faulty from the March-2015, to Feb.2016. The Licensee made spot inspection of the consumer's premises & submitted spot inspection report dated 23.3.2016 stating that the meter was not faulty but progressive reading was 25510. Therefore the Licensee issued energy bill for the month of March-2016 of Rs.3,56,340/- for 22437 units. The consumer made complaint about the aforesaid energy bill. Therefore the Licensee sent the meter for testing. The testing department submitted report dated 27.9.2016 that, " meter is working within error limit". It means the meter was OK. Thereafter the Licensee bifurcated accumulated units & carried B-80 giving credit of Rs.2,28,073/- & the net bill of Rs.1,36,804/- was directed to be paid to the consumer. The consumer failed to deposit the said bill. Therefore the Licensee disconnected the supply of the consumer in the month of Sept.2016. Thereafter on 13.10.2016 the consumer deposited amount of Rs.,25000/- out of the disputed bills & supply was restored. According to the License since corrected bill was issued, grievance of the consumer is liable to be dismissed.

9. The CPL discloses that, "faulty status" of the meter is from March 2015 to Feb.2016 during the said period bills for 42 units have been issued. In the month of March-2016 bill for 22437 units of Rs.3,56,340/- have been issued which is disputed. Therefore we have to take into consideration the consumption pattern before & after the faulty status of the meter. The bills prior to aforesaid faulty period as under :

Feb. 2015	46	Units
Jan.	39	""
Dec.2014	41	"
Nov.	43	
Oct.	44	"
Sept.	46	"
Aug.	46	"
July	56	"
June	56	"
May	56	"
April	56	"
March 2014	55	"
Total -----	584	Units. Thus average comes to 49 units p.m.

Similarly, the bills after the aforesaid faulty period have been issued as under:

April-2016	42	Units
May	35	"
June	23	"
July	21	"
Aug.	21	"
Sept.	00	"
Oct.	150	"
Nov.	150	"
Dec.	87	"
Jan.-2017	29	"
Feb.	29	"
March-2017	63	"
Total- -----	650	Units Thus average comes to 54 Units p.m.

Therefore taking into consideration the consumption pattern before & after faulty period the average comes to $54+49/2=51.5$ Units Rounded to 52 units p.m. The Licensee tested the meter in the testing lab & found the meter was OK. However, the said testing was not carried in the presence of consumer. The presence of consumer was essential since he had made complaint about exorbitant billing. The Licensee bifurcated accumulated 22437 units in 95 months i.e. prior period of March-2016 and corrected the bill. However the said method is contrary to law in terms of Section 56 of the Electricity Act, 2003. Therefore there is deficiency in service on the part of Licensee. The Licensee should have been issued corrected bill for the month of March-2016 of 52 units in terms of consumption pattern mentioned above. Therefore it is required to issue the revised bill of 52 units for the month of March-2016. Hence disputed bill is to be set aside. The grievance is liable to be allowed.

10. Lastly, we proceed to pass following order.

ORDER

1. Grievance of the consumer is allowed with cost.
2. The licensee to issue revised bill to the consumer as per consumption pattern discussed in Para No.9 above of 52 units for the month of March-2016.
3. The disputed bill for the month of March-2016 issued by the Licensee for Rs.3,56,340/- for 22437 units is hereby set aside.
4. The impugned order dated 20.01.2017 passed by IGRC Rastapeth is hereby set aside.
5. The licensee to report compliance within one month from the receipt of this order.

Delivered on: - 09.06.2017

Sd/-
S.S.Pathak
Member
CGRF:PZ: PUNE

Sd/-
B.S.Savant
Member/Secretary
CGRF:PZ: PUNE

Sd/-
S.N.Shelke
Chairperson
CGRF:PZ:PUNE

Note: - The consumer if not satisfied may file representation against this order before the Hon'ble Ombudsman within 60 days from the date of this order at the following address.

Office of the Ombudsman,
Maharashtra Electricity Regulatory Commission,
606/608, Keshav Bldg.,
Bandra Kurla Complex, Bandra (E), Mumbai-51.