



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

Case No.67/2017

Date of Grievance : 13.12.2017

Date of Order : 16.01.2018

In the matter of defective meter and excess bill.

Shri.Dhairyasheel Vivek Shinde,
Plot No.149, S.No.14/2,3,4 &
16/1,2, Shindenagar,
Bavdhan Kh.,Pune -411021.

Complainant

(Herein after referred to as Consumer)

Versus

The Executive Engineer,
M.S.E.D.C.L.,
Shivajinagar Division,
Pune .

Respondent

(Herein after referred to as Licensee)

Quorum

Chairperson
Member

Mr. B.D.Gaikwad
Mr. S.K.Jadhav

Appearance

For Consumer

Mr.D.V.Shinde,
Mr.A.S.Mahadar, (Representative)

For Respondent

Mr.Munde, AEE, Ganeshkhind S/ dn.

- 1) The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & Electricity Ombudsman) Regulations 2006.
- 2) Being aggrieved and dissatisfied by the order dated 16th Oct. 2017 passed by IGRC Ganeshkhind Urban Circle, wherein it is directed to check the consumers meter and based on testing report and consumption history correct the bill if applicable.

- 3) The consumer Mr.Dhairyasheel Vivek Shinde and consumer no. is 160221056202 and it is in Residential category. The consumer above named has submitted grievance for stating that said meter jumped in the month of July-2017 and consumption is of 1865 units. According to the consumer monthly consumption is of 50 to 100 units. He has submitted application for testing of the meter on requested to check the consumption trend and to rectify the bill. Initially he has preferred grievance before IGRC, Ganeshkhind Urban Circle, Pune. The IGRC, on hearing both parties directed to check the consumers meter and consumption history and correct the bill accordingly. However the consumer did not satisfy with the order of IGRC and submitted present grievance before the Forum.
- 4) The papers containing the above grievance were sent by the Forum to the Executive Engineer, M.S.E.D.C.L., Shivajinagar Division vide letter no.EE/CGRF/PZ/Notice/67 of 2017/340 dtd. 13.12.2017. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 28.12.2017.
- 5) The Licensee in its reply submitted that the consumer has submitted application for bill correction on 24.7.2017. He submitted that as per the trend of the consumption, the bill for the month of June-2017 is wrong. The verification report from the Section Office was called the verification report dated 16.9.2017 was submitted by Asstt.Engineer, Susroad Section Office. As per the report consumer reading was correct. During the bill analysis it was found that bill for the month of June-2017 was billed for two months and credit of 88 units billed on average due to Reading Not Available (RNA) status in previous month was given to consumer. However the consumer was not satisfied and he paid charges for meter testing on 18.9.2017. The meter was sent to meter testing lab. The consumer has approached to IGRC and said order was passed. As per meter testing report dated 28.10.2017 meter error found within the permissible limit and meter is correct. As per the meter reading bill was

correct. The Licensee therefore submitted that the grievance may be rejected.

- 6) We heard both sides at length and gone through the contentions of the consumer and Licensee as well as the documents placed on record by the parties. In view of the rival contentions of the parties, following points arise for our consideration and we have recorded our findings thereon for the reasons stated hereinafter.

POINTS

FINDINGS

- | | | |
|-----|--|---------------------|
| i) | Whether applicant is entitled for the reliefs? | Yes |
| ii) | What order ? | As per final order. |

7)

REASONS

The record indicates that the consumer has submitted applications making complaint of excess bill. It is stated in the application also that monthly consumption of the said meter was hardly 50 to 100 units. It is submitted that present consumer and his brothers are residing in one building having four floors. It is submitted that on each floor there is separate meter in the name of different consumers. There is no any complaint in respect of other meters in the same building. It is submitted that there is no much consumption of the present meter. The copies of consumer personal ledger (CPL) are produced on record. The perusal of the ledger clearly indicate that the average monthly consumption is below 200 units of the said meter. However the consumption of June-2017 is shown 1865 units. It is submitted on behalf of the consumer that the said meter must have jumped in the month of April or May-2017 and so inordinate excess units are shown in the month of June-2017. It is submitted that the consumer has paid part of the bill. The Licensee is charging interest on the arrears of the said excess bill.

- 7) It is submitted on behalf of the Licensee that the meter was sent for testing as per the application of the consumer and order of IGRC. The meter testing report dated 26.10.2017 is placed on record. It indicates that meter error is within permissible limits and meter is correct. It is also an admitted fact that the meter is replaced. The old meter is in the custody of the Licensee. It is submitted on behalf of the consumer that it was necessary to collect the data of the reading from the meter and it was possible to collect the data with the help of MRI. On the other hand it is submitted that the MRI was called but MRI prior to 24th Aug.2017 is not available. Under these circumstances it is submitted that if the MRI was called at earlier stage, it could have been obtained by the Licensee. It is submitted that the meter can be sent to the Company for testing.
- 8) It may be noted that the Licensee did not call MRI immediately and did not send the meter to the company for testing. There is nothing on record to indicate that the meter was tested in the lab in the presence of the consumer. Under these circumstances it is rightly submitted on behalf of the consumer that the excess bill can be corrected on the basis of average monthly consumption.
- 9) As per Regulations 14.4 of MERC (Electricity Supply code and other conditions of supply) Regulations- 2005, it is the responsibility of the Licensee to test the meter periodically and to carry the maintenance of all the meters. In the case in hand the said responsibility was not carried effectively. Even after the application of the consumer for testing of meter no effective steps were taken.
- 10) This Forum can pass any other order deemed appropriate in the facts and circumstances of the case. In the present case CPL clearly indicate past monthly consumption and it is below 200 units. We are of the opinion that past 12 months average consumption shall be taken into consideration by the Licensee and accordingly average bill shall be

charged for the month of June - 2017 instead of bill of 1865 units. We are of the opinion that if such order is passed it will meet the ends of justice. We accordingly answer above points and passed following order.

ORDER

1. The Grievance is hereby allowed as under
 - a) The Licensee is hereby directed to correct the bill of June-2017 of the present consumer on the basis of past 12 months average consumption. If excess bill is paid that shall be adjusted towards future bills. The Licensee shall not charge the interest & DPC on the said excess bill.
 - b) The Licensee to report the compliance within one month from the date of this order.
2. No order as to cost.

S.K.Jadhav
Member
CGRF:PZ:PUNE

B.D. Gaikwad
Chairperson
CGRF:PZ:PUNE

Note :- The consumer if not satisfied may filed 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.