



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

Date of Grievance : 05.02.2015

Date of Order : 04.04.2015

In the matter of accumulated billing.

Mr. Ravindra Kulkarni,
Flat No.102, Silvar Apartment,
Bldg.No.2, Sasanenagar, Hadapsar,
Pune-411028.

Complainant

(Herein after referred to as Consumer)

Versus

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

Respondent

(Herein after referred to as Licensee)

Quorum

Chair person

Mr. S.N.Shelke

Member Secretary

Mr. Y. M.Kamble

Member

Mr.S.S.Pathak

Appearance

For Consumer

Mr. Ravindra Kulkarni

For Respondent

Mr.P.H.Shirke, Ex. Engineer

Bundgarden Division.

Mr.S.B.Waghmare, Addl. Ex.

Engr., Hadapsar S/dn.

- 1) The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & E.O.) Regulations 2006.
- 2) Being aggrieved and dissatisfied by the order dated 03.02.2015 passed by IGRC Rastapeth Urban Circle, Pune, the consumer above named prefers this grievance application on the following amongst other grounds.

- 3) The papers containing the above grievance were sent by the Forum to the Executive Engineer, M.S.E.D.C.L., Bundgarden Division, Pune vide letter no. EE/CGRF/PZ/Notice/04 of 2015/53 dtd.05.02.2015. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 19.03.2015.
- 4) We heard both sides at length, gone through the contentions of the consumer and reply of the respondent and the documents placed on record by the parties. On its basis following factual aspects were disclosed.
 - i) Consumer no.160230445556 residential is standing in the name of Ravindra Kulkarni connected on 16.10.2001.
 - ii) Meter of said consumer is bearing no.2230054575. However on the energy bills meter no. printed as 2230054574.
 - iii) Present consumer utilized energy through meter no.2230054575.
 - iv) The Licensee made spot inspection of premises of the consumer on 25.9.2014 & found that the said consumer has been issued energy bills of meter no. 2230054574, though energy consumed from meter No. 2230054575. Accordingly Officer of the licensee submitted verification report to Licensee on 12.11.2014.
 - v) The said consumers (Kulkarni) sold the said flat to Shreyes Girish Shembekar on 20.12.2012 vide registered agreement no. 12167/2012 dtd.20.12.2012.
 - vi) The licensee issued bill to the said consumer in the month of Aug.2014 for Rs.1,91,130/- for 14802 units on average basis for faulty status.
 - vii) On making complaint by the consumer the Licensee issued supplementary bill of Rs.20790/- amount. The said bill was deposited by the consumer.
 - viii) The consumer was regularly depositing the bills since the purchase of the said flat i.e. from Jan.2013.
 - ix) The Licensee after receipt of verification report made revised bills for the period from April-2003 to Oct.2014 i.e. for 138 months of Rs.64740/-.

- x) The Addl.Ex.Engineer, Hadapsar Sub/dn. vide letter dtd.27.11.2014 sought approval for bill revision leading to B-80 adjustment above Rs.1,00,000/-.
- xi) Accordingly approval for bill revision leading to B-80 Adjustment to the tune of Rs.117811/- was made by the Licensee on 27.11.2014.
- xii) Accordingly the Licensee after having made adjustment in the bill giving credit of of Rs.1,17,811/- as per bill revision leading to B-80 adjustment revised bill of Rs.64740/- & was issued to the consumer.
- xiii) The consumer being aggrieved due to issuance of revised bill approached to IGRC on 19.01.2015 & the IGRC vide impugned order dtd.3rd of Feb.2015 rejected the grievance of the consumer stating the arrears of bills from the period April-2003 to Oct.2014 are valid & that revised bill be issued & meter agency be penalized & suitable installments be granted to the consumer.

5. Consumer representative namely Shri.Shreyash Girish Shembekar submitted that he purchased the said fact from Ravindra Murlidhar Kulkarni on 20.12.2012. Since the purchase of said flat he has been depositing the energy bills regularly. However the licensee in the month of Aug.2014 issued bill of Rs.1,91,130/- showing in the bill, current reading, "Faulty ". The consumption was shown in the said bill of units 14802/-. Thereafter consumer made complaint to the Licensee about exorbitant bill Thereafter the Licensee asked him to deposit bill of Rs.20,790/- to avoid disconnection. Therefore he deposited the said bill on 30.9.2014 under the fear of disconnection. Thereafter the Licensee made spot inspection & it was realize that the meter no. 2230054575 was installed at the premises but the bills were wrongly issued in respect of meter no. 2230054574. He further submitted that the the Licensee is recovering arrears of bills from 2003 to 2014 but he is not responsible to Pay the previous arrears as he purchased the said flat on Dec.2012 & therefore the revised bill be cancelled & that it was not his fault for issuance of wrong bills in respect of different meter Number but that of licensee.

6. On the other hand, the Licensee was represented by Mr.P.H.Shirke, Ex. Engineer ,Bundgarden Division & Mr.S.B.Waghmare, Addl. Ex.Engr., Hadapsar S/dn. They submitted that the meter bearing no. 2230054575 has been installed at the premises of the consumer. However in the register wrongly entry of meter bearing no. . 2230054574 has been made. Therefore the reading agency used to issue bills to the said consumer on average basis. Accordingly the consumer also depositing the said bills regularly. Subsequently the agency realized that the wrong bills have been issued to the Consumer. Therefore they brought the said fact to the notice of billing section. Thereafter it was realized that there was discrepancy of meter number on the bill. Thereafter the licensee made spot inspection and it was revealed that actually meter no.2230054575 has been installed at the premises & energy has been consumed through it and as on 12.11.2014 meter reading was 29006. Hence the bill is revised for the previous 138 months of the amount of Rs.64740/- The consumption of the said consumer is about 300 to 350 units p.m. but average bills had been issued for 50 to 150 units p.m. Therefore the revised bill of Rs.64740/- was rightly issued and consumer is liable to pay the said bill amount. Therefore grievance may be rejected.

7. Following points arise for our determination. We give our findings thereon for the reasons stated below.

Points	Findings
i) Whether the revised bill issued by the Licensee to the tune of Rs.64740/- to the Consumer is correct ?	No
ii) Whether impugned order dtd. 3.2.2015 given by IGRC, RPUC, Pune calls for any interference ?	Yes
iii) What order?	As per final order.

8. Reasons:-

Admittedly the said consumer is connected on 16.10.2001 vide consumer no.160230445556. Previously the said connection was standing in the name of Ravindra M.Kulkarni. He sold the said flat to Shreyesh Girish Shembekar vide registered deed no.12167/2012 dtd. 20.12.2012. Presently the said connection is standing in the name of Shreyesh Girish Shembekar. It is also admitted fact that meter bearing no. 2230054575 has been installed at the said premises however, in the record of Licensee meter bearing no. 2230054574 has been wrongly entered. The said fact came to the notice of Licensee in the month of Aug.-2014. Therefore the Licensee ascertained the said facts by making spot inspection on 25.9.2014. Thereafter verification report dated 12.11.2014 submitted by Assistant Engineer, Sasanenagar & got confirmed the fact. The bills were wrongly issued for meter no. 2230054574 instead of meter no. 2230054575. The consumer made complaint of the said fact to the Licensee. Thereafter officer of the Licensee asked the consumer to deposit the Rs.20790/- to avoid disconnection. Therefore the consumer under the fear of disconnection deposited amount of Rs.20790/- on 30.9.2014. The Licensee issued revised bill for April-2003 to Oct.2014 in the month of Nov.2014 giving credit of Rs.117811/- as per B-80 Adjustment dtd.27.11.2014 & making revised bill for the said period to Rs.64,740/-. According to Licensee consumer was utilizing energy of 300 to 350 units p.m. but average bills for 50 to 150 units p.m. have been issued during the period from April-2003 to Oct.2014 & therefore consumer is liable to pay the said bill arrears.

9. The consumer has produced his CPL record for the period from 2002 to 2014 as well as electric bills. On perusal of said record it is seen that meter status is shown as normal continuously. Therefore it is not a case of defective meter as per supply code regulation no.15.4. As per bill produced by applicant the photo meter reading in electric bill on 27.6.2014, was 13321 & the bill is issued as per actual meter reading in the month of June-2014 of Rs.1000/- for the consumption of 179 units.

Therefore as per said fact the billing up to June-2014 to be paid in July-2014 is correct. But on 27th Aug.2014 the meter reading on meter is seen 28123, whereas the bill is issued for 14802 units but without feeding actual meter reading and bill issued with Faulty status of Rs.1,91,130/-.

In Sept.2014 the current meter reading as shown in bill is 28450 with previous meter reading. 000(Zero)instead of 28123 & bill issued for zero unit but showing arrears of Rs.1,94,990/-.

From above facts it is seen that when the bill is issued correctly upto the month of June-2014 i.e. up to meter reading 13321, then how suddenly meter reading is recorded as 28123 within short period of two months. Similarly as per order passed by IGRC, it is not justified to say that the consumption is accumulated from April-2003 to Oct.2014, when the actual meter reading as on 27th June 2014 was 13321 as photo seen in electric bill. Similarly as per verification report submitted by concerned Assistant Engineer dt.12.11.2014 the meter reading was 29006 that is consumption will be 883 unit for the period 2 ¹/₂ months i.e. from 27th Aug.2014 to 12th Nov.2014. Now question arise before the forum is that how the electric consumption is suddenly rise by (28123-13321)=14802 units for residential purpose, though, as even stated by Dy.Ex.Engr. Hadapsar that the meter no. is 54575 which is wrongly fed by 54574.

Therefore the consumption of 14802 units within short period of two months for residential purpose considering the connected load of 3 KW is highly impossible & incorrect. Also the revised bill issued for the period of 138 months from April-2003 to Oct.2014 for Rs.64740/- and incorrect is erroneous. Hence Licensee to verify the facts as mentioned above & to issue revised & correct bill to the consumer for the period from 27th June 2014 onwards excluding DPC & interest. Hence we answer point No.1 in the negative and point No.2 in the affirmative.

10. Lastly we pass the following order.

ORDER

- i) Grievance application is allowed with cost.
- ii) The impugned order dtd.3.2.2015 passed by IGRC, RPUC, stands set aside.
- iii) The demand of arrears of bills raised by the Licensee Quantifying dues tune of Rs.64720/- vide revised bill for the month of Nov.2014 is hereby set aside.
- iv) The Licensee is to revise the energy bill for the period from June-2014 to Aug.2014 in which the bill is issued for the consumption 14802 units of Rs.64740/- as discuss in Para No.9 above.
- v) The Licensee is to issue such revised bill within 30 days from the date of this order & thereafter to submit the compliance report thereof to the Forum within 7 days.
- vi) Consumer has already deposited bill of Rs.20,790/- to avoid disconnection. The Licensee to adjust said amount in the next billing cycles.

Delivered on: - 04.04.2015

(Transferred)

Y.M.Kamble
Member/Secretary
CGRF:PZ: PUNE

Suryakant Pathak
Member
CGRF:PZ:PUNE

S.N.Shelke
Chairperson
CGRF:PZ:PUNE

Since Mr.Y.M.Kamble transferred I took over charge as Member/Secretary of C.G.R.F., Pune Zone from 4th April 2015. I have gone through the record of said grievance. I agree with the decision given as above.

H.P.Birabwar
Member/Secretary,
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.