

**Before Maharashtra State Electricity Distribution Co. Limited
Consumer Grievances Redressal Forum, Pune Zone,
925, Kasabapeth Building, IInd flr. Pune-11**

Case No.09/2013

Date: 31/10/2013

**In the matter of
Shri.C.B.Ranavade
Gat No.4, At Village Nandoshi,
Tal.Haveli, Dist.- Pune.**

- Complainant

V/S

M.S.E.D.C.L.

- Opponent

Quorum

Chair Person	Shri.S.D.Madake
Member/Secretary,	Shri.N.S.Prasad
Member	Shri.Suryakant Pathak

1. The complainant Shri.C.B.Ranavade is consumer of M.S.E.D.C.L.vide Consumer No.183099046770 since 30th July 2009. This is H.T.consumer having contract demand 300.00 KVA with connected load 300 KW for the purpose of stone-crusher.
2. The complainant filed complaint before I.G.R.C. on the ground that M.S.E.D.C.L. issued excessive bills for a period between July-2011 to Feb.2012, which was issued in Feb.2012. I.G.R.C. decided the complaint on 26.4.2013 and held that complainant is liable to pay bill as per consumption recorded on meters in addition to penalty for excess M.D. during period between July-11 to Feb.12. As per direction of I.G.R.C. the bill was issued on 23.7.2013 to consumer.
3. Being dissatisfied with the order of I.G.R.C. complainant filed complaint before this forum. The main grievance of the consumer is regarding the bill issued for a period of July-2011 to Jan.2012. According to consumer the M.S.E.D.C.L. is guilty for deficiency in service and as a result of this wrongful loss is caused to him. It is alleged that, the bills issued by M.S.E.D.C.L. earlier were as per the consumption. However, the supplementary bill issued for a period between July-11 to Feb.12 is illegal.
4. This forum has to consider on the basis of documents produced on record as well as on the basis of oral submission made by both sides. The point for determination is as under:-

- i) Whether the M.S.E.D.C.L. is entitled to raise the supplementary bill for a period between July-2011 to Feb.2012 ?
- ii) Whether complainant is entitled for any relief due to deficiency in service?
- iii) What order?

Our findings are as under

- 1) In the affirmative
- 2) In the affirmative
- 3) As per final order

REASONS

To prove their respective contentions, complainant and M.S.E.D.C.L. filed documents in support of their case. Learned Representatives of both sides argued their points, we have given anxious consideration to all documents and oral submission.

There is no dispute as to consumer's contract demand was 300.00 KVA with connected load 300 KW since 30.7.2009. The CT Ratio of metering C T was 10/5A and M.F. is 4. The main issue is regarding the bill for period between July to Feb.2012. Initially the bills for this period were issued on the basis of previous consumption. In July 2011, Assistant Engineer at the time of recording the meter reading found that meter reading was abnormally high. He thought that, this reading may not be correct and he issued bill for the month of July on the basis of previous consumption. The Asstt. Engineer informed in writing to Testing Division of M.S.E.D.C.L. by letter dated 1.8.2011. The Testing Division report dated 14.2.2012 regarding the meter No.09145714 and 092205431 shows that max demand recorded are not due to M.D. overshoot, however due to consumer was exceeding his sanctioned demand abnormally. We have perused the reports and noticed that both meter errors were within permissible limits. We have carefully seen sheets of actual consumption produced on record. The record shows that on the request of consumer both above referred meters were tested on 16.5.12 and both meters were found within permissible limits.

The documents on record indicate that consumer has exceeded contract demand and failed to follow the load restriction as per agreement. Again record

shows that consumer failed to maintain the power factors as per the norms. There is no evidence to show that concerned employee of M.S.E.D.C.L. with malafide intention or fraudulently issued bill on the basis of previous consumption during the period between July-11 to Feb.12. Consumer has requested time to file detail submission by making application but failed to file say though sufficient time was given to him. Therefore, we are of the opinion that M.S.E.D.C.L. is entitle to raise the supplementary bill for the correct consumption of electricity. The consumer also is liable to pay for failure to act as per agreement. Hence we hold that supplementary bill is prepared as per actual consumption. Hence we answer issue No.1 in the affirmative.

Issue No.2

It is admitted fact that electricity bills during period between July-11 to Feb.12 were issued on the basis of previous consumption. As per Maharashtra Electricity Regulatory Commission's Regulation 2005 M.S.E.D.C.L. was under an obligation to take correct meter reading regularly once in a month. Admittedly M.S.E.D.C.L. failed to discharge this obligation for several months. The consumer submitted that, he is running a business and profit is assessed on the basis of all dues payable to various authorities including M.S.E.D.C.L. regarding electricity bill. It is submitted that due to this deficiency in service be suffered mental agony & financial loss. It is unfortunate that the bill for a several months are issued without actual correct meter reading and are simply based on previous consumption. It is necessary to take effective measures to avoid such harassment of consumer by directing him to pay bills of several lakhs of rupees due to non-feasance of M.S.E.D.C.L. officials. Though the record shows that bills are proper and as per consumption consumer has been placed in pitiable condition due failure of M.S.E.D.C.L. officials in performing their functions as per law. We feel in the interest of justice to direct the M.S.E.D.C.L. to accept the provisional bill in reasonable equitable installments. Considering financial position to such an extent that he would be required to close down the business & all facts_and circumstances of the case, we grant two years time for

payment of the bill i.e. in 24 equal monthly installments without levy of interest & DPC. In the result we pass the following order :

ORDER

- 1) Complainant is permitted to pay the provisional electricity bill of Feb.2012 in 24 monthly equal installments without interest and DPC.
- 2) No order as to cost.

N.S.Prasad ,
Member/Secretary

Suryakant Pathak
Member

S.D.Madake
Chair Person

Date: 31/10/2013