

**CONSUMER GRIEVANCE REDRESSAL FORUM
AMRAVATI ZONE, AMRAVATI**

'Vidyut Bhavan', Shivaji Nagar, Amravati: 444603, Tel. No. 0721 2551158

Dt. 01.03.2018

ORDER

Case No. 01/2018

In the matter of grievance pertaining to excess billing.

Quorum

Dr. Vishram Nilkanth Bapat, Chairman
Shri. R. A. Ramteke, Member Secretary
Sau. Sushama Joshi, Member (CPO)

In the matter of

Shri Anilkumar Vaktuji Thaware
Vardhasa Appa Nagar, Morshi Road, Amravati
Consumer No. 366470740919

Complainant

.....Vs.....

The Executive Engineer
MSEDCL, Urban Division, Amravati.

Respondent

Appearances:-

Complainant Representative:- Shri Anilkumar Vaktuji Thaware

Respondent Representative:- Shri.R.S. Malasane Add. Ex. Engineer, Amravati U I S/Dn.

Being aggrieved by non resolution of excess billing complaint after submission of applications on various occasions, complainant filed his complaint in Annexure "A" to Circle office, Amravati of NA MSEDCL on 23.10.2017 and after receipt of said complaint from Circle Office, Amravati of NA MSEDCL on 03.01.2018 to the Forum, it has been registered as Case No 01/2018 .

As per complainant's complaint with documents attached and oral submission during hearing before Forum, Complainant submitted that :-

1) The applicant complainant received electricity bill of May 2017 of units 144 and showing energy charges as Rs.644/- which was wrong and not as per rate specified on overleaf of bill and hence it was represented to NA MSEDCL on 22.06.2017 through CFC centre of NA

MSEDCL. As per complainant the energy charges in the bill for May 2017 of 144 units should be of Rs. 594/- and not of Rs. 644/- as he received. Again he represented the said matter to NA MSEDCL on 03.07.2017 through CFC. He made applications for revision of said bill to authorities of NA MSEDCL on 04.07.2017, 04.09.2017 along with submission of plane paper application to IGRC on 05.09.2017 and in "x" form to IGRC, Amravati on 03.10.2017. (Doc.1-6) but no remedy provided by NA MSEDCL. After filing complaint to CGRF in "A" form to Circle Office after advice by office staff of NA MSEDCL at Vidyut Bhavan on 23.10.2017, he got reply from NA MSEDCL on 26.10.2017 which was not satisfactory.

2) Complainant submitted that IGRC, Amravati heard his case on 09.11.2017 and issued order on 29.11.2017. He raised the point that had the NA MSEDCL redressed his complainant within time limit, he would not have been penalised with Delay payment Charges, Interest amount as levied on his energy bill and his energy bill would not have increased. Also though the case was subjudice, the NA MSEDCL had threatened him to disconnect his supply. NA MSEDCL often leveled allegations that the complainant has been a payment defaulter which is not true. The complainant concluded his submission with prayer to Hon'ble Forum that :-

- i) Interest and DPC amount on his electricity bill should be Waved off.
- ii) Any other relief to applicant consumer which Hon'ble Forum may deem fit.

In response to present complaint and notice of CGRF, Amravati Zone dt. 05.01.2018 to NA MSEDCL to file their reply, Non-Applicant MSEDCL in its written statement dt. 22.01.2018 and oral submission before Forum submitted that :-

- 1) It is admitted that complainant had submitted applications as mentioned for excess bill and accordingly carried out spot inspection on 03.07.2017 and found that reading and electricity bill for the month of May 2017 is correct which is illustrated to consumer orally in the office of NA MSEDCL and it is reproduced in oral submission also which is agreed by complainant.
- 2) But as complainant consumer was not satisfied with the oral illustrations, he submitted the case before IGRC, Amravati and hence again illustrated the correctness of energy charges for the month of May 2017 with applicability of per unit charges with slab wise on per day unit consumption for respective billing period in written form on 26.10.2017 to complainant. In this regard, NA MSEDCL submitted and explained the application of slab wise per unit rate to per day consumption of energy for respective billing period as per Multi Year Tariff Order in force as approved by Maharashtra Electricity Regulatory Commission. In this case he pointed out that billing for May 2017 was for 0.87 month hence rate of Rs.3/- per unit was applicable to 87 unit out of 144 units and balance 57 units to be charged at Rs 6.73 per unit as per approved tariff order by Hon'ble MERC and hence the energy charges for May 2017 are correct. He submitted comparative sheet for 0.87 month period billing of May 2017 and 1.13 month period billing of April 2017 with application of slab wise rates to energy consumption in r/o present complainant in this case. He also submitted CPL showing month wise consumption and its slab wise rate application to respective per day consumption for respective billing period from April 2016 to Jan 2018 of present complainant. He added that all this has been elaborated to complainant in detail but the complainant was not satisfied. Complainant registered his complaint at IGRC, Amravati and IGRC, Amravati passed the order on dt 29.11.2017 upholding the correctness of electricity bill of May 2017 with instructions to issue copy of MERC approved tariff order to

complainant. Accordingly MERC approved tariff order was already issued to complainant vide their office letter No 23 dt 03.01.2018 and order of IGRC, Amravati is followed in total. All the correspondence is on record.

3) He further submitted that payment of energy bill is not regular in present case as seen from CPL of consumer where it is clearly shown that complainant had made payment on 29.09.2017 after 02.05.2017 and hence staff of NA MSEDCL might have approached to complainant for payment of energy charges as it is their routine duty but in no case supply was disconnected.

4) During his oral submission, he submitted that Delay Payment Charges, Interest amount application is due to non payment of energy bill from consumer side and is applicable to all where non payment of energy charges occurs as per MERC approved tariff order and hence is correct. No additional charges other than approved have been levied to consumer and hence it is requested to Hon'ble Forum to dismiss the case at par.

After going through the documents placed on record, arguments advanced by both the parties in present case, verifying and analysing the facts, the Forum come to the conclusion that the complainant filed his complaint to CGRF without following procedure as laid down in regulation 6.2 and 6.4 of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 as though it was addressed to CGRF and in Annexure "A", was submitted to Circle Office of NA MSEDCL on 23.10.2017. Actually complainant had already registered his complaint to IGRC on 03.10.2017 and without waiting for stipulated period of two months for final order in his complaint, he filed his complaint in Annexure "A" to Circle Office of NA MSEDCL on 23.10.2017 which he is referring as complaint to CGRF and then from Circle Office of NA MSEDCL it had been received to CGRF for hearing. The complaint could have been dismissed on this ground only as per regulation 6.7 of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 but considering provision in regulation 6.2 and 6.10 of same and previous correspondence of complainant with NA MSEDCL, the Forum chose to hear this case. It is true that complainant had received the electricity bill for May 2017 with energy charges of Rs 644/- for consumption of 144 units for 0.87 month billing period and the correctness of said energy charges in the electricity bill of May 2017 has been explained by NA MSEDCL to Complainant on the basis of Maharashtra Electricity Regulatory Commission's Multi Year Tariff Order dt 03.11.2016 and with Commercial Circular No 284 dt 11.04.2017 of NA MSEDCL to that effect. Also order of IGRC, Amravati dt 29.11.2017 has been complied by NA MSEDCL. Delay payment charges and interest applied to complainant is due to non payment of energy bill and complainant could have paid it under protest by registering his representation but complainant failed to do so. Hence as the energy charges levied to Complainant for May 2017, Delay Payment Charges and Interest are as per tariff order in force and as approved by MERC, this Forum proceeds to pass the following unanimous order in present case.

ORDER

- 1) The Complaint No. 01/2018 is hereby dismissed.
- 2) No order as to cost.

Sd/-
(R.A.Ramteke)
Member Secretary

Sd/-
(Mrs.S.P.Joshi)
Member(CPO)

Sd//
(Dr.V.N.Bapat)
Chairman

Contact details of Electricity Ombudsman appointed by MERC(CGRF & EO)
REGULATIONS 2006 under regulation 10:
THE ELECTRICITY OMBUDSMAN,
Office of Electricity Ombudsman (Nagpur)
Plot No.12, Shrikripa, Vijay Nagar, Chhaoni,
Nagpur-440013.
Phone:-0712-2596670

NO. EE / CGRF/AMZ/ Amravati/ No./ 29
To,
The Nodal Officer,
Executive Engineer
MSEDCL, Urban Division,
Amravati.

Dt. 01.03.2018

The order passed on in the Complaint No.01/2018 is enclosed herewith for further compliance and necessary action.


Secretary

Consumer Grievance Redressal Forum,
MSEDCL, Amravati Zone, Amravati

Copy to:-

1) Shri Anil Vakatuji Thaware

Vardhasa Appa Nagar, Morshi Road, Amravati

Distt.:- Amravati.

Copy f.w.c.to:-

1)The Chief Engineer, MSEDCL, Amravati Zone, Amravati.

2)The Superintending Engineer, O&M Circle, Amravati.