

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

Case No. 24/2018

Date of Grievance : 10.05.2018

Hearing Date : 19.06.2018

Date of Order : 24.07.2018

In the matter of issuing of wrong billing.

Sou. Padma Narendra Hambir, ----- Complainant
B, 30/2, Lower Indiranagar,
Pune - 411037.

VS

The Executive Engineer, ----- Respondent
M.S.E.D.C.L.
Padmavati Division,

Present during the hearing:

A] - On behalf of CGRF, Pune Zone,Pune.

- 1) Shri. A.P.Bhavathankar, Chairman, CGRF,PZ,Pune
- 2) Mrs.B.S.Savant, Member Secretary, CGRF, PZ, Pune
- 3) Mr.Anil Joshi, Member, CGRF, PZ. Pune.

B] - On behalf of Appellant

- 1) Shri.Narendra Trimbak Hambir, Consumer Representative

C] - On behalf of Respondent

- 1) Shri. Rajendra S.Yedake, Addl. Ex. Engr., Marketyard Sub/dn.

Shri.Nandkumar Ramchandra Jadhav, Consumer No. - 170014239653

The present Complaint is about issuing of wrong bill due to difference in meter No. whose photo reading printed continued to be printed on the energy bill of another consumer. The above named consumer initially made complaint to IGRC alleging that in his case No.23/2016 on 18.8.2016. IGRC passed the order but which is complied within one month. Thereafter in the month of Jan.2017, the Respondent utility intentionally issued wrong bill recording another name of consumer for units 530 and amount of bill Rs.5300/- due to which consumer required to visit the office by raising the complaint and follow the office frequently. Thereafter the bill was

corrected but after depositing corrected bill and after 6 months in the month of August-2017, again the consumer received incorrect meter reading bill for units 430 whereas photo of meter printed showed as 1713 units intentionally. Again the said bill was taken to the utility office for correction and which was paid. Thereafter again utility issued the bill for reading 1751 units when photo meter reading was shown as 412 units used. Again the consumer is required to visit the office of the Utility on 22.9.2017 and made follow up visits, but his complaint was not attended by utility properly. In the month of December-2017, the Consumer received the bill for recording 351 units which was corrected and paid. Thereafter again in the month of June-2018 Respondent utility issued incorrect bill as arrears for amounting to Rs.2938/-. Therefore the consumer approached to the IGRC and made complaint and claimed compensation of Rs.20000/- for physical and mental harassment for correction in the bills and the documents / correspondence of the issue. Consumer also claimed cost of litigation of Rs.10,000/- The consumer made this complaint and file copy of the bill for Aug., Sept. & Dec. 2017 & Jan.2018. Thereafter consumer issued letters on 16.3.2018 and 26.3.2018 to the Utility. However, being dissatisfied with the steps taken by the Utility - i.e. meter is not changed in spite of order - and made allegation that the new meter is also not correctly installed within the stipulated time. Even the meter No. printed on the bill bearing No.3291846 was corrected manually by using skechpen whereas incorrect meter No. is reported on the bill. The said No. is verified which belongs to the meter owned by one, i.e. Mrs. Rashmi Bapat. The Consumer made complaint to verify and check the said meter on 26.3.2018. The Consumer made allegation that on 23.3.2018 the Respondent utility changed the meter without information to him, which too is fast and not giving proper consumption / reading. The Consumer prayed that meter No. is to be verified and tested properly. After verifying the said complaint, the IGRC registered the case on 15.3.2018, and an opportunity was given for hearing and the case was decided in favour of the consumer under which the utility was directed to correct the meter reading as per meter No. and also directed to issue the bill as per actual consumption recorded, with further directions to change the meter if required. However IGRC did not granted any relief under SOP against the utility.

Being dissatisfied by the IGRC order, the consumer approached to this Forum and filed his complaint on 10.5.2018. The Consumer prayed for compensation for mentioning wrong reading and incorrect billing which he was required to get corrected from time to time and that there was delay in getting proper corrections done and recording proper unit also and not mentioned in the bill at appropriate time. In addition to the order of IGRC, the consumer also prayed for monetary compensation of Rs.20,000/- and cost of litigation of Rs.10,000/-. After filing the said dispute, the CGRF office registered the complaint bearing No.24/2018 on dtd.10.5.2018 and notice was issued to the Respondent utility on 11.5.2018. After service of notice, the Respondent utility appeared before the CGRF and filed its reply on 24.5.2018. The Respondent utility submitted that the wrong bill was issued to the consumer for the months of August, Sept. & December'2017. But it was corrected at the time on demand of consumer properly in the respective months from time to time. Incorrect bill given was also corrected. Subsequently the said mistake had taken place as the actual meter No. installed at site was different from the meter No. getting printed on the bill. The meter No. recorded on the bill is 3291846 whereas the actual No. of the meter is 3291848 at site. The said consumer's complaint got resolved after installation of the new meter at site and bill is also corrected. However, the said compliance got unreasonably delayed for non-availability of meters in the office for almost one year. The complaint made by the consumer about breach of SOP is not applicable as request of the consumer to change the meter was only the option due to feed the entry in SAP and online system. However consumer now has made allegation to replace new meter by old one which was not possible due to technical problem. Consumer complained on 27.04.2018 that the said new meter is fast and to resolve this dispute, again another new meter is installed in series and the consumption was checked and was found in order. In the process, the earlier meter of the Rolex Company was removed as per instructions from the Higher Authority since the MSEDCL has put ban on Rolex Company. Accordingly the consumer was given reasonable and proper service up to his satisfaction. Despite this, the consumer even then made complaint about incorrect No. and wrong reading again only to claim monetary compensation benefit

in his favour which is liable to be rejected with cost. The Respondent utility too submitted the copy of CPL, consumption pattern of the consumer, meter and series meter which was installed at the site and Accu-check report dated 26.04.2018 and 10.7.2018 in respect of both the meters. I have perused all the documents filed by consumer and the Respondent utility carefully.

Following points arise for my consideration to which I have recorded my findings to the points given below :-

1. Whether the consumer received incorrect bills and wrong reading on the bills which was not corrected by Respondent utility?
2. Whether the consumer is entitled for compensation, if any?
3. Whether the consumer is entitled for any other relief.?

Reasoning :-

It appears that the consumer had received incorrect reading bills by printing incorrect meter No. of neighboring consumer. Viz. Mrs. Rashmi Bapat. The consumer made complaints by himself and according to the consumer there were repeatedly mistakes of incorrect meter reading together with photo printed on the bill and the bill issued to the consumer considerably in the month of Aug., Sept. & December-2017. Respondent utility clearly admitted printing of wrong meter No. on energy bill. According to me it is not the fault of the consumer with the incidence is twice. The Respondent utility has to take action at appropriate time. According to the utility, under the given circumstances, change of the meter of the consumer was the only solution. But for reasons for non-compliance of change of meter is primarily due to non-available of the meters for about one year which has caused the delay in resolving the dispute of the consumer properly. The said reason is, however, not supported by any substantial documents. The utility has replaced the meter and resolved the issue and thereafter the original meter is checked the along with series of another meter and test results were found in order

and the consumption pattern is found correct and hence there is no any ambiguity observed in new meter.

On scrutiny of record I found the bill for units consumed, which was corrected subsequently, being wrongly mentioned on the bill of the consumer, the consumer has deposited the amount of the bill. Now the claim of Rs.20000/- for mental sufferings by the consumer and Rs.10,000/- towards litigation cost.

The consumer has grievance only for compensation of Rs.20,000/- for mental harassment and cost of litigation Rs.10,000/- which is absolutely not supported by any documentary evidence. Under the Regulation 86, Electrical Ombudsman Regulations, this Forum cannot award any compensation which is in liquidated. However I am inclined to agree for the repeat incidence happened with the consumer in the months of Aug., Sept. & Dec.2017. Though the error was corrected, the Respondent utility official was not careful in observing printing of correct meter No. on the bill. It, therefore, resulted in wrong communication of the bill thereby requiring the consumer to visit the office of the Utility frequently from time to time to correct the bills. In the terms my jurisdiction, I am inclined to grant compensation of Rs.800/- payable by the utility to the consumer which can be adjusted in the future bill. According to me it is unreasonable grounds raised by the Utility but not supported by cogent documents. Hence I disagree with the reasons and wrong printing, incorrect meter No. in the contention of the utility. In these circumstances, the utility is now directed to give correct meter reading as per meter on the site and the same shall be printed on the next bill. After carefully considering the documents and grounds to the satisfaction of consumer, I am inclined to allow the claim of the consumer partly. Hence I proceed to pass the following order.

The utility was ordered to produce Accu-check reports of both the meters which were submitted by the Utility on 10.07.2018. Accordingly, the time limit of 60 days prescribed for disposal of the grievance could not be adhered to.

ORDER

1. The consumer complaint of 24 of 2018 is partly allowed.
2. The utility is hereby directed to install meter with correct No. and record correct readings of the same meter which is recorded in CPL and printed on the bill to the satisfaction of consumer.
3. To make reasonable and no meter proper correction of record by printing on the bill improper information. The utility shall pay cost of Rs.800/- which can be adjusted in the future bill.
4. The compliance shall be made within 30 days from the issue of this order and reported accordingly.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Pune Urban Zone, Pune on 24th July - 2018.

Note:

- 1) If Consumer is not satisfied with the decision, he may file representative within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman

The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051.

- 2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

Sd/-
ANIL JOSHI
MEMBER
CGRF:PZ:PUNE

Sd/-
A.P.BHAVTHANKAR
CHAIRPERSON
CGRF: PZ:PUNE

Sd/-
BEENA SAVANT
MEMBER- SECRETARY
CGRF:PZ:PUNE