

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

Case No. 31/2018

Date of Grievance : 30.05.2018

Hearing Date : 28.06.2018

Date of Order : 25 .07.2018

In the matter of faulty meter status and issuing of average bill.

Shri.Suryakant Kisan Kondhawale, ---- Complainant

Shreebrahma Chaitanya Niwas,

S.No.1/1, Laxminagar,

Pimple Gurav, Pune - 411061.

(Consumer No.170730314356)

VS

The Executive Engineer,

---- Respondent

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

Pimpri 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. Suryakant K.Kondhawale, Consumer

C] - On behalf of Respondent

- 1) Shri. M.K.Suryawanshi, AEE, Sangvi Sub/Dn.
- 2) Shri. R.T.Lohakare, AA, Sangvi S/dn.

Initially consumer made complaint to Respondent Utility office for faulty meter status and issuing of average bill. The said complaint is made online dtd. 22.12.2017. Consumer also made another complaint on 28.12.17 & 22.2.2018 to the Respondent utility office Sangvi Sub/dn. Consumer alleged that he used to

receive the bill for value of Rs.300 to 350 but as the meter is stopped. He received average bill for amount of Rs.1160/- consumer also pray for change of meter and issuing of correct bill as per meter reading consumption. Consumer further alleged that Respondent utility not responded his complaint properly and he is required to visit utility office many times. He is mentally and financially suffered harassment on the part of utility. Consumer claimed monetary compensation for Rs.50,600/-. After filing the complaint IGRC registered the case vide T-8/2018. Respondent utility submitted that the consumer issued revised bill in the month of Feb.2018 by preparing B-80 and give benefit for Rs.1384/- of difference of bill and the bill already corrected properly. IGRC observed that, consumer complaint was not solved at the Zone office. The tariff shown in the bill for Residential use but consumer using the said supply other than residential purpose which is required to be check properly. IGRC directed to verify the supply as bill residential purpose properly and issued revised bill as per actual consumption calculation.

Being dissatisfied with the order of IGRC consumer approached to this Forum and lodged complaint in form No.A. Consumer stated that as per the report of utility official the meter installed No.75401072, 437 KWH. The unit attached to the consumption 1 TV, 1 Freez, 2 Fan and 1 Mixer. The tariff charged by utility 19 LT 1 Residential single phase . According to utility average consumption used by this consumer is 281 units per month. The bill is bifurcated for the span of 5 months benefit was given for amount Rs.-1384.61. Respondent utility attached copy of CPL, Spot inspection report and copy of B-80. Consumer gave his profession of Dudh Dairy expenditure for labour of Rs.4800/- and per day stock 80 Ltrs. Of milk store on 27, 28, 29.12.2017 for amounting Rs.12000/- and claimed monetary compensation for Rs.75000/- for delay of resolving his problem and complaint from 19.04.18 to 26.4.2018. He required to attending the office and therefore loss of his profession after filing the complaint, office register the case no. 31 of 2018 on 10.06.2018. Notice was issued to the Respondent utility after service of notice, Respondent utility appeared and filed reply & gave copy of CPL, copy of Spot

inspection report, monthly average consumption of consumer 218 units per month which is divided as per previous reading 5613 to 5396. The Debit amount Rs.-1384.61 benefit already given to the consumer. Utility pray for dismissal of complaint with cost. After perusing contention of consumer & Respondent utility, following points arose for my consideration to which I have recorded my finding to the point further reason given below:-

1. Whether consumer received the bill accumulated unit is legal valid and proper
2. Whether consumer is entitled for compensation of Rs.75000/-
3. Whether consumer is entitled for any further relief

Reasoning :-

I have given opportunity to the consumer and representative of utility on 28.06.2018. It appears that consumer received bill showing accumulated units and charged for an average monthly consumption. Consumer also gave the copy of Shop Establishment License, copy of receipt dtd.16.4.2018. He is running dairy, the documents and contention of consumer verified, he is running dairy business some other premises. Copy of IGRC judgement and order is verified. It appears that Respondent utility suspected use of consumption other than residential, as consumer pray for compensation of running dudh dairy.

It is pertaining to note that, as per directions the spot inspection was carried out and actual use of premises is verified by official of utility. The spot inspection report and actual connecting load as referred in the report on 18.6.2018 is verified. It appears to be that, utility tried to bifurcated the aggregate unit showing monthly consumption of this consumer is 218 units and divided in 5 months. The benefit which is given as per B-80 amounting to Rs. 1384.61 on verification of actual consumption and deciding the monthly consumption units supply used for residential purpose single phase. It reveal that, monthly consumption of this consumer hardly crosses 100 units per month. The average consumption monthly assess by Respondent utility is 218 units and which is divided in 5 months appears to me not correct. I found the benefit to the consumer should be given as per connecting load to the supply

not more than 437 KWH. Admittedly the meter reading was faulty and therefore average consumption assessed and charged in the bill which is apparently exorbitant and not correct. It resulted in aggregate consumption charge against the consumer in one bill automatically heavily burden. Therefore consumer made grievance which is seems to be proper and reasonable. I come to conclusion the average consumption should be assessed as per consumption actually used. The copy of CPL disclosed that the consumption hardly crosses 100 units per month and therefore further bifurcation of bill is required in consequences of consumer should received actual benefit. Hence I found the consumer is entitled for receiving the benefit therefore I am inclined to allowed the complaint.

Consumer claimed loss of monetary, physically and mental harassment and claimed amount of Rs.75,000/- and shown documents. Under the Regulations, this Forum cannot award un-liquidated compensation claimed by the consumer in the fact and circumstances appears in the case. The consumer should be given compensation to the extent of Rs.500/- for delay in solve the consumer complaint at appropriate time. In this circumstances, I am inclined to grant compensation to the extent of only Rs.500/- payable to the consumer, rest of the claim monetary cannot be allowed. Considering all the facts and circumstances, I am inclined to allow the consumer complaint and to proceed to pass following order :-

ORDER

1. Consumer complaint No. 23 of 2018 is partly allowed.
2. Respondent utility hereby directed to resolve the grievance by issuing revised the disputed average consumption bill considering monthly consumption in the bill calculating 100 units and assess the bill properly. The bifurcation for the period of five months should be given, the amount already deposited by the consumer should be given set off. Balance bill amount should be recovered in equal monthly billing cycle of the consumer in six monthly installments in future.

3. The Respondent utility shall pay compensation amount Rs.500/- payable to the consumer which can be adjusted in bill assessment issued to the consumer after revision. The benefit of bill adjustment to the tune of Rs.1384.61 shall also be considered while calculating the future bill amount of the consumer.
4. No order as to the cost.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Pune Urban Zone, Pune on 25th 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