

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redresses Forum
Nagpur Zone, Nagpur**

Case No. CGRF(NZ)/93/2018

Applicant : Shri Ramrao P. Akhare,
Plot No. 3, Sai Krupa Society,
Narendra Nagar,
Nagpur-440015.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(D/F), NUC, M.S.E.D.C.L.,
Nagpur.

Applicant represented by : In person.

Non-applicant represented by : 1) Shri V.R. Sonkusle, Exe.Engr., MSEDCL,
2) Shri Dahasahastra, SNDL, Nagpur

Quorum Present : 1) Shri Arvind Jayram Rohee,
Chairperson.
2) Mrs. V.N.Parihar,
Member Secretary
3) Mrs. Asmita Avinash Prabhune,
Member (CPO)

ORDER PASSED ON 11.09.2018

1. The applicant approached this Forum, under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievances Redressal Forum & Electricity Ombudsman) Regulations, 2006 for redressal of his grievance that he received electricity bills of approximate amount for last one year without taking the actual meter reading by the officials of the SNDL.

He therefore, prayed for necessary rectification in the electricity bills and also seeks compensation of Rs.25000/- for causing mental and physical pain and agony to him.

2. The applicant holds electric connection bearing consumer No.410015060658. He submitted three complaints to the Commercial Manager firstly on 02.12.2018 regarding receipt of excessive bills for last 5 to 6 months with a request to replace the meter. Another complaint dated 16.03.2018 is also regarding excessive bill for Feb.2018 and last complaint dated 13.07.2018 is regarding excessive bill of June 2018. All the aforesaid complaints were looked into by the Department. On continuous persuasion of the applicant it was noticed that the electric bills were issued without actually taking the meter reading by visiting the place of residence of complaint where the electric meter is installed. As such the bills were rectified and necessary credit of Rs.290.86 and 1728.46 is already granted to the applicant for the month of February & March 2018 respectively. It is stated that the electricity bills from March 2018 to May 2018 which were issued with incorrect meter reading were also revised in the bill of June 2018 and necessary relief was granted to the applicant. However since claim for grant of compensation is not favorably considered by Internal Grievance Redressal Cell (IGRC) he approached this Forum.

3. The order dated 24.07.2018 passed by the IGRC shows that for electric bill of June 2018, credit was given by bifurcating total consumption in 4 months, to the extent of Rs. 4024.50. It is, therefore, found that action on all the wrong bills issued from Dec.2017 to June 2018 has already been taken by

revising the bills and granting necessary credit to the applicant.

4. On 05.09.2018 heard the applicant who appeared in person and the reply arguments of Nodal Officer Shri Sonkusale, Executive Engineer (Adm.), Nagpur Urban Circle, MSEDCL, Nagpur and that of Shri Dahasahastra, representative of M/s SNDL. We have carefully perused the entire case record.

5. It is obvious from prayer clause in the detail application dated 23.07.2018 submitted by the applicant that his main grievance is regarding rejection of his claim for grant of compensation. It was rejected by IGRC observing that although wrong bills have been issued without any intention it can not be considered as harassment to the applicant. The same stand is taken by the non applicant in the reply dated 01.09.2018. However it is obvious that the reasons given by Department and IGRC are not logical or convincing for rejecting the claim of compensation. This is so because for couple of months wrong / incorrect bills were issued to the applicant without visiting his place of residence & without noting the actual meter reading to show the exact consumption of electricity by the applicant. It appears that the applicant paid the bill amount and hence the electric supply is not disconnected. The applicant also took prompt action by approaching the Department for issuance of correct bills, Considerable time was taken by Non applicant to rectify the lapse. In fact it is the primary and boundend duty of the Non applicant to issue correct bills of consumption by taking actual meter reading. The very fact that it was not done so in case of applicant for couple of months, ipso facto is indicative of the fact that it must have resulted in causing mental torture, pains and harassment to the applicant, for no fault of his own. As such although there may not be element of culpability in

issuing wrong bills without taking actual meter reading, it is sufficient to grant compensation to the applicant, since the agency exhibited gross negligence in issuing correct bills.

6. So far as grant of compensation is concerned, it is governed by clause 12 of Maharashtra Electricity Regulatory Commission (Standards of Performance Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2014. It is obvious that the grievance regarding issuance of wrong electric bills was promptly made by applicant so also for compensation within the stipulated period of 60 days. We, therefore, hold that the Non applicant is liable to pay reasonable amount of compensation to the applicant for failing to meet Standards of Performance, which has resulted in causing mental agony, and harassment to the applicant. We quantify the amount of compensation to the tune of Rs.15,000/-.

7-(a) The grievance application is, therefore, allowed. It is declared that the applicant is entitled to receive compensation of Rs.15,000/- (Rs. Fifteen thousand only) for issuance of wrong electric bills without taking actual meter reading.

(b) The aforesaid amount shall be credited/adjusted in the pending and subsequent electric bills to be issued to the applicant.

(c) The Non-applicant is also directed to hold enquiry regarding negligence on the part of the erring official for not visiting the place of the applicant for taking the actual meter reading and fix the liability and recover the amount of Rs. 15,000 from his salary in lump-sum.

- (d) The compliance of this order be reported within three months.
- (e) In the facts and circumstances of the case, the parties are however directed to bear their respective cost of this litigation.

Sd/-
(Mrs.A. A. Prabhune)
MEMBER (CPO)

Sd/-
(Mrs.V.N.Parihar)
MEMBER SECRETARY

Sd/-
(Arvind J. Rohee)
CHAIRPERSON