

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
AURANGABAD ZONE, AURANGABAD.**

**Case No. CGRF/AZ/AUC/696/2018/36
Registration No. 2018100014**

Date of Admission : 09.10.2018

Date of Decision : 26.02.2019

Jamil Abbas Patel, : COMPLAINANT
H. No. 1-25-32, CTS No. 6389,
Lota Karanja, Mulmamchi Bazar,
Aurangabad.
(Consumer No. 490018183100)

VERSUS

Maharashtra State Electricity Dist. Co. Ltd., : RESPONDENT
through it's Nodal Officer, EE(Admn),
Urban Circle, Aurangabad.
The Addl. Executive Engineer,
Shahaganj Sub Division, Aurangabad

For Consumer : Shri Akhatr Ali Khan,
For Licensee : Shri Sandip Kulkarni,
Addl. EE, Shahaganj SDn

CORAM

Smt. Shobha B. Varma, Chairperson
Shri Laxman M. Kakade, Tech. Member/Secretary
Shri Vilaschandra S. Kabra Member.

CONSUMER GRIEVANCE REDRESSAL DECISION

1) The applicant Jamil Abbas Patel, H. No. 1-25-32, CTS No. 6389, Lota Karanja, Mulamchi Bazar, Aurangabad is a consumer of Mahavitaran having Consumer No. 490018183100. The applicant has filed a complaint against the respondent through the Executive Engineer i.e. Nodal Officer, MSEDCL, Urban Circle, Aurangabad under Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulation 2006 in Annexure (A) on 09.10.2018.

BRIEF HISTORY & FACTS RELATING TO THE GRIEVANCE:

2) The complainant has submitted application on dtd. 18.06.2018 and stated that meter reading is jumped & meter is working fast. He has received bill of Rs. 58,696/- and asked to correct the bill and test the meter.

As complaint was not resolved, after 60 days from intimation, he has filed complaint to this Forum on dtd. 09.10.2018.

3) The complainant states that, he has submitted written complaint about abnormal bill but no communication / reply was given to the consumer. The average consumption of progressive reading comes to 200 to 250 units per month i.e. as of actual meter reading. The abnormal bill of 5474 units in one month i.e. June 2018 is not possible for residential consumer considering his connected load and previous trend of consumption.

4) Instead of redressal of grievance regarding abnormal bill of Rs. 58,700/- for 5474 units, the amount is included in further bills.

5) The consumer has not paid the further bills as it includes the amount of abnormal bill of Rs. 58,700/- . Consumer has prayed that,

1. To revise the abnormal bill of Rs. 58,700/-
 2. To direct action against the Respondent erring officer, who has illegally disconnected the electricity supply of the consumer.
 3. To award cost of Rs. 2000/- mental torture, harassment and mental agonies caused to the complainant.
- 6) Respondent Additional Executive Engineer, Shahaganj Sub Division has filed say on 29.10.2018 (Page No. 36) & stated that, connection was released to the complainant on 01.04.2014 for residential use with consumer No. 490018183100 & sanction load is 1.0 KW.
- 7) Energy bills as per meter reading up to December 2017 were issued to the complainant. From January 2018 to May 2018 bills were issued on average basis with RNT meter status. Bill issued to the consumer in the month of June 2018 is 5474 units for six months period & of Rs. 58,696/-. Credit for average bills is given of Rs. 8923/- in the month of June 2018.
- 8) Meter of the complainant was tested on 02.08.2018 at Urban Testing Division, Aurangabad. Testing report received as *"error is within limit."* As consumers meter testing report is OK, then revision of bill is not necessary.
- 9) Period for which average bills were issued to the complainant, i.e. January 2018 to June 2018 was summer season. On account of use of AC or Cooler most of the consumers consumption increases in this period. Hence bill issued to the consumer for June 2018 for 5774 units is correct & contended to direct the complainant to pay the said bill.
- 10) Respondent Additional Executive Engineer has submitted spot inspection report dtd. 19.06.2018. It shows meter secure make Sr. No. GTL 61217, 10-60 A and reading is 13891 KWH. Meter condition of seal, meter box, meter body & terminal cover is 'OK'.

11) Respondent Additional Executive Engineer has submitted on 20.02.2019 that meter secure make with Sr. No. GTL 61217 is tested at Secure manufacturer and investigation report received on 20.02.2019. Report states that "Analysis required for high consumption – During Meter Analysis at our end, Meter was working OK, errors were found within permissible limit. No external tamper symptoms found. Detail analysis report shall be submitted in next 2-3 working days."

12) We have gone through the pleadings, say & all documents placed on record by both the parties. We have heard arguments advanced by both the parties i.e. Complainant's Representative Shri Akhtar Ali Khan and Respondent's Representative Shri Sandip Kulkarni, Additional Executive Engineer, Shahaganj Sub Division. Following points arise for our determination & its findings are recorded for the reasons to follow :-

Sr. No.	POINTS	FINDINGS
1)	Whether bill in the month of June 2018 of 5474 units & amounting Rs. 58,700/- requires to be revised ?	No
2)	Whether action against MSEDCL Officer for disconnecting supply by violating the provision i.e. Section 56 of Electricity Act 2003 is justified ?	Yes,
3)	Whether the complainant is entitle for compensation ? If yes, what is the quantum ?	Yes, Rs. 1000/-
4)	What order?	As per final order

REASONS

- 13) **Point No. 1 :-** Bills are issued from January 2018 to May 2018 to the complainant on average basis, with meter status RNT & issued bill of 5474 units in the month of June 2018. Previous reading was 7848 KWH & current reading 13372 KWH units & amount of Rs. 58,696/-.
- 14) Spot Inspection Report (Page No. 50) shows that meter Sr. No. GTL 61217 was replaced on 19.06.2018, consumer representative has signed it. At that time final reading was 13891 KWH.
- 15) Meter testing report dtd 02.08.2018 (Page No. 44) of Secure Make Meter No. GTL 61217 shows Remark as "Meter tested found Ok"
- 16) Thereafter during pendency of this application, we have sent the said meter for testing to Secure Meters Ltd. The report of the company is received and its copy is at page No. 74. The Report goes to show "During Meter Analysis at our end, Meter was working OK, errors were found within permissible limit. No external tamper symptoms found."
- 17) Considering the aforesaid meter report of the company, this report is being of manufacturer company carries weight and acceptable. There is no possibility of jumping the meter.
- 18) It is found that bill issued from January 2018 to May 2018 is on average basis with RNT status, which is seen from CPL (Page No. 61). Bill issued in the month of June 2018 with meter status normal & consumption of 5474 units for previous 6 months amount Rs. 58,696/-. The units in dispute i.e. 5474 are therefore from January 2018 to June 2018. 5474 units are distributed for 6 months and also credit for average bill i.e. Rs. 8923/- was given in June 2018 as a

lock credit, which is also seen from CPL. This is logical calculation considering such state of affairs, there is every possibility of consumption of more units on account of summer season, as submitted by Addl. Executive Engineer, Shri Kulkarni. This possibility is not ruled out. So considering the report of the meter alongwith aforesaid circumstances, we are not inclined to revise the disputed bill. Thus point No. 1 is answer in the negative.

19) **Point No. 2 :-** Additional Executive Engineer, Shahaganj Sub Division has not produced any record of notice under section 56 of Indian Electricity Act 2003 served to the consumer, before disconnection of electricity supply. Hence, we feel it proper that the Respondent shall take action as per MSEDCL Service Regulation on erring officer who has disconnected the supply of the complainant without notice. We answer point No. 2 in the affirmative.

20) **Point No. 3 :-** Notice was not served to the complainant before disconnection of electricity supply. Hence, it is just & proper to award compensation of Rs.1000/- (Rupees One thousand only) to the complainant for illegal disconnection. Thus we answer point No. 3 in the affirmative.

21) Considering the above discussion, we allow the complainant & proceed to pass following order in reply to point No. 4.

ORDER

Application is allowed in following terms :

- 1) Secure Make Sr. No. GTL -61217 meter is working OK, consumer prayer for bill revision is rejected.
- 2) Respondent is directed to initiate action against erring officer for disconnecting the electricity supply of the complainant without notice under 56(1) of Electricity Act, 2003.

- 3) The Respondent is directed to pay compensation of Rs. 1000/- to the complainant for illegal disconnection.
- 4) Parties to bear their own costs.
- 5) Compliance be reported within 30 days from the date of receipt of the order.

Sd/-
Shobha B. Varma
Chairperson

Sd/-
Laxman M. Kakade
Member / Secretary

Sd/
Vilaschandra S.Kabra
Member