

1) On being aggrieved by the decision of IGRC Akola issued vide IGRC/AKL/4806 dated 03.12.2018 the complainant Shri. Wamanrao Suryabhan Dhore from Alanda Barshitakli approached this Forum under section 6.4 of MERC (CGRF OMBUDSMAN) Regulation 2006 for resolving the grievance.

2) Complainant's case in brief is that complainant is residential consumer of N.A. M.S.E.D.C.L from 08.04.1987. According to complainant N.A. M.S.E.D.C.L replaced energy meter on 14.05.2018 and meter reading of old meter at the time of replacement was 8087. According to complainant despite meter reading of new replaced meter is available N.A. M.S.E.D.C.L continued to issue energy bill as per old meter as per average and reading bills are not issued by N.A. M.S.E.D.C.L after April 2018. According to complainant meter reading as on 04.10.2018 is 244. According to complainant N.A. M.S.E.D.C.L shown wrong current reading for the month May as 8087, June as 8119, July as 8119, Aug. as 8316 and so on and continued billing as per average. According to complainant energy bill for Rs. 530/- and Rs. 300/- are paid on 11.06.2018 and 04.08.2018. According to complainant his financial condition is very poor and consumption of electricity is below 100 unit per month. According to complainant the bills from May 2018, till Oct 2018 should be set aside and revised bill for 9 months should be issued as per meter reading of 244 on 04.10.2018 and payment of Rs. 530/- and Rs. 300/- should be considered in bill revision and future bill should be issued as per actual meter reading. Complainant prays for SOP Compensation for bill correction at Rs. 100/- per week along with revision of energy bill. Complainant annexed copy of IGRC Akola order dated 03.12.2018, energy bill for April 2018 to Nov. 2018 and copy of CPL dated 20.11.2018 along with the complaint.

3) Reply came to be filed belatedly by N.A. M.S.E.D.C.L on 05/02/2019. According to N.A. M.S.E.D.C.L the meter was replaced in April 2018 as against 14/05/2018 mentioned by complainant in his grievance. According to N.A. M.S.E.D.C.L the current reading at the time of replacement was 8324 and complainant was billed in April 2018 upto 8087 as per old meter. According to N.A. M.S.E.D.C.L the replacement report of new meter was not fed to the system up to 25/01/2019 hence bill will be revised as per new meter consumption of 402 units and adjustment of 237 units of old meter, total 639 units and will be divided in 10 months from May 2018 to Feb 2019 and average billing of 645 units will be withdrawn. N.A. M.S.E.D.C.L annexed copy of CPL and letter of Dy. Executive Engineer Barshitakli.

4) Shri Manjeet Deshmukh learned representative for the complainant and Shri P. U. Kalore, Dy. Executive Engineer, MSEDCL were present for the hearing held on 20.02.2019. Shri Manjeet Deshmukh learned representative for complainant brought to the notice of Forum that after replacement of meter on 14.05.2018 at reading of 8087, N.A. M.S.E.D.C.L installed new meter but never issued reading bill as per meter reading and continued billing, showing progressive reading as per old meter and not corrected the bill even after direction from IGRC Akola. Shri Manjeet Deshmukh further brought to the notice of Forum that after complaint to IGRC on 05.10.2018, N.A. M.S.E.D.C.L filed with IGRC Akola fabricated record as “inspection report dated 20.11.2018” with copy to complainant showing progressive reading as 8324 of old meter, which was replaced on 14.05.2018 with forged signature of complainant. Shri Manjeet Deshmukh learned representative for complainant has brought to the notice of Forum that N.A. M.S.E.D.C.L have once again replaced meter on 25.01.2019 without revising the energy bills and requested Forum to set aside the energy bills from 14.05.2018 to 25.01.2019 and issue the energy bill as per final reading of 403 as on 25.01.2019 with initial reading as ‘0’ on 14.05.2018 and N.A. M.S.E.D.C.L may please be directed to give copy of revision bill. Shri Manjeet Deshmukh brought to the notice of Forum that N.A. M.S.E.D.C.L have mislead the Forum by giving false reply of the complaint and urged Forum to compensate complainant by SOP Compensation for delay in revision of bill.

5) Shri P. U. Kalore, Dy. Executive Engineer, MSEDCL has accepted the flaw of non-feeding the replacement of meter to the SAP system, resulting in issue of average bill and urged Forum that because of flaw in the system, the meter has been replaced on 25.01.2019 and future bills will be issued as per new meter reading and bill revision from 14.05.2018 to 25.01.2019 will be completed in next month. Shri P. U. Kalore, Dy. Executive Engineer, MSEDCL have accepted the contradiction in their reply regarding date of replacement and final reading and in absence of any documentary evidence of replacement report shown willingness for revision of bill for reading 1 to 403 units to be apportioned between MAY 2018 to JAN 2019.

6) Having heard the parties and on considering the material placed on record, Forum finds considerable substance in the complaint and is of the view that N.A. M.S.E.D.C.L have committed serious lapses and

irregularities in the subject case and could not file on record the meter replacement report dated 14.05.2018 and declined to file the said report on record. Shri P. U. Kalore, Dy, Executive Engineer, MSEDCL could not give satisfactory reply when being asked by the Forum to submit source of final reading of 8324 mentioned in their reply and Forum is of the view that N.A. M.S.E.D.C.L have filed misleading reply deliberately when as per energy bill for April 2018 filed on record the reading of 8087 is shown as final reading on 14.05.2018. N.A. M.S.E.D.C.L could not justify the purpose of inspection on 20.11.2018 and recording the meter reading of old meter, when meter was replaced on 14.05.2018 and hence Forum finds substance in the plea of complainant about forging signature of complainant purporting to be signed by complainant on 20.11.2018 on inspection report filed before IGRC Akola, which needs to be investigated by N.A. M.S.E.D.C.L. Forum is of the view that N.A. M.S.E.D.C.L have tried to defend the complaint on the basis of fabricated document in contravention to the provision of MERC CGRF Regulation 2006 and expresses deep displeasure and recommends strong action against guilty, after due inquiry by the higher authorities of MSEDCL to whom the copies of this order are specifically endorsed. Forum is of the view that N.A. M.S.E.D.C.L should revise bill (B-80) for 9 months from May 2018 to JAN 2019 by considering initial reading as 1 on 14.05.2018 and final reading of 403 on 25.01.2019 by giving slab wise monthly benefit. N.A. M.S.E.D.C.L is also directed to set aside the energy bills issued to complainant from May 2018 to Jan 2019 with waiver of DPC charges and interest on arrears and directed to adjust the payments by complainant in the revision bill (B-80). Forum is of the view that N.A. M.S.E.D.C.L failed to meet standards of performance in resolving the billing complaint beyond one billing cycle and hence liable to pay SOP Compensation at Rs. 100/- per week or part thereof till copy of revision (B-80) given to complainant. In the present complaint claim for SOP Compensation is first time registered on 11/01/2019 before this Forum and hence complainant is entitled for SOP Compensation from 11/11/2018 at Rs. 100/- per week till revision (B-80). As per provisions SOP Compensation is admissible from 60 days prior to claim.

With these observations, Forum proceeds to pass following unanimous order.

ORDER

1. That the Complaint No. 04/2019 Dated 11/01/2019 is hereby partly allowed.
2. That N.A .M.S.E.D.C.L is directed to set aside the energy bill issued to complainant from May 2018 to Jan 2019 with waiver of DPC and interest on arrears.
3. That N.A. M.S.E.D.C.L is directed to issue revision of bill (B-80) from May 2018 to Jan 2019 considering meter reading as 1 on 14/05/2018 and final reading 403 on 25/01/2019 after adjusting payments by complainant during the period by giving slab benefit per month.
4. That N.A. M.S.E.D.C.L is directed to compensate complainant at Rs. 100/- per week for delay in resolving billing complaint from 11/11/2018 till the date of revision (B-80) and adjust the amount in forthcoming energy bill payable by complainant.
5. That N.A. M.S.E.D.C.L is directed to submit compliance report to this Forum within one month of this order.

S/d/-
Member Secretary

S/d/-
Member (CPO)

S/d/-
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, Shrikrupa, Vijaynagar,
Chhaoni,Nagpur-440 013.Phone:- 0712-2596670

No. CGRF/AKZ/Akola/57

Dt:- 05.03.2019

To,
The Nodal Officers
Executive Engineer,
MSEDCL, O&M
Rural Division Akola.

The order passed on **05.03.2019** in the Complaint No. **04/2019** is enclosed herewith for further compliance and necessary action.

Secretary,
Consumer Grievance Redressal Forum,
MSEDCL, Akola Zone, Akola.

Copy s.w.r. to:-

- 1) Chief Engineer, MSEDCL, Akola Zone, Akola.
- 2) Superintending Engineer MSEDCL, O&M Circle, Akola.

Copy to :-

- 1) Shri Wamanrao Suryabhan Dhore At post Alanda Tq. Barshitakli Dist.
Akola – 444001.