

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

Case No. CGRF(NZ)/119/2018

Applicant : Shri Riyaz Ahmad Mohd. Ramzan,
Near Najma Nursing Home,
Mominpura, Kabrasthan Road,
Nagpur.

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 22.02.2019

1) The applicant filed present grievance application before this forum on 19.11.2019 under Clause 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations 2006.

2) Applicant's case in brief is that he submitted his grievance application for showing excess amount of Rs.514880/- in his bill for the month of Aug.2018. But Commercial Manager told that amount Rs.514880/- is towards assessment done by vigilance

team against unbilled connection in the same premises with consumer No. 410010851673 in the name of Shri Mohd. Ramjan who is father of the applicant. But applicant did not agree with such debit amount & requested withdrawal of the same. Being aggrieved by the order dt. 10.11.2018 passed by IGRC, he approached this forum.

3) Non applicant denied applicants case vide reply dt. 27.12.2018. It is submitted that Shri Riyaz Ahmad Mohd. Ramzan is having consumer No. 410018512081 for commercial purpose. On 08.06.2017 vigilance team visited applicant's premises & they observed that there was electric supply from consumer No. 410010851673 on the name of Shri Shakil Ramzan Ansari having Meter No. 150719 with meter reading 52103 Units. Vigilance team asked for bills. At that time applicant told that from last 5 years no bills were issued on this meter No. 150719 & consumer No. 410010851673. As per CPL it is also clear that this meter No. 150719 & consumer No.410010851673 was billed up to Oct.2014 & P.D. from Nov.2014. It was noticed that at the time of spot inspection supply was live. As per CPL meter reading for Oct.2014 was 17938 units & current reading was 52103 $(52103 - 17938) = 34165$ units for 31 months. Hence average of (34165 units) comes to 1102 units per month. N.A. issued the excess bill for 26448 units as per Section 56(2) of Electricity Act. 2003 amounting to

Rs.514880/- but applicant did not pay the bill. Hence as per clause 10.5 of MERC's Supply Code Regulation 2005, the aforesaid amount is debited to his sons live consumer Shri Riyaz ahmad Mohd. Ramzan having consumer no. 410018572081 in the same premises in the month of Aug 2018, but applicant did not agree with this. Hence this grievance application.

The vigilance officer has calculated the billed amount as per Section 135 of Electricity Act. 2003 with penalty 1.5 times of tariff, but this section should not be applied in case of unbilled consumer. Hence vigilance officer revised bill for Rs.360580/-. IGRC order for interest free installment to pay this unbilled amount.

4) Forum heard arguments of both the sides & perused the case record carefully.

5) It is obvious from record that no steps were taken by N.A. to remove PD meter for years together. Moreover applicant also kept quiet, and did not bother to make complaint for non receipt of bills. It is duty of applicant to approach NA in case bill is not received.

6) It is noteworthy that since Nov. 2014 applicant was utilizing the electric energy without payment of any amount. It is not proper. As per clause 10.5 of MERC Supply Code Regulation 2005 the applicant who is legal heir of the previous consumer of said premises is liable to pay unpaid dues. It is legal and moral

responsibility of the applicant to pay the bills of Rs.3,60,580/- IGRC order is legal & proper which needs no interference.

For these reasons, grievance application deserves to be dismissed, hence following order.

ORDER

1. Grievance application is dismissed.
2. No order as to cost.

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

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

Sd/-
(Arvind J. Rohee)
CHAIRPERSON

NAGPUR