

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

**Case No. CGRF/AZ/ARC/725/2019/10
Registration No. 2019020034**

Date of Admission : 05.02.2019
Date of Decision : 04.06.2019

M/s. Bhagawati Industries : COMPLAINANT
C/o Prabhakar Raghunath Mahalke,
Gut No.42, Ranjangaon Tq.Dist.
Aurangabad
(Consumer No. 508461282290)

VERSUS

Maharashtra State Electricity Dist. Co. Ltd., : RESPONDENT
Through it's Nodal Officer /
The Executive Engineer, MSEDCL,
Rural Circle, Aurangabad.

The Dy.Executive Engineer,
MSEDCL,Gangapur Sub Dn., Aurangabad

For Consumer : Shri. Kamlakar Venkatrao Lobhe
For Licensee : Shri. D.R.Punde.
Dy. EE, Gangapur Sub-Dn.

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 M/s. Bhagawati Industries, C/o Prabhakar Raghunath Mahalke Gut No.42 Ranjangaon Tq.Dist. Aurangabad a consumer of Mahavitaran having Consumer No. 508461282290. 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 05.02.2019.

2) **The brief facts of the dispute are as under:-**

- 1) That, the petitioner has paid all energy bill payments every month since the date of power supply connection except the additional energy bill of April 2018. The order is passed by IGRC.
- 2) That, proper metering system, proper energy bill issuance every month is within the scope of MSEDCL. Assesed additional engery bill payment after a period of month with assumptions/ presumptions/average billing basis is not accepted by the petitioner.
- 3) That, the peritioner is bound & ensure to pay the proper bill every month except the assessed additional energy bill of April 2018 and use the supply connection for its industry.
- 4) It is requested that, the order of rejection of additional energy bill payment of MSEDCL may be corrected.

3) The Respondent has submitted say (P.NO.18) as under:

- 1) Electric connection for industrial purpose (LT-V-B) was released the petitioner on Dt. 08.07.2017.

- 2) During inspection by flying squad on Dt. 17.08.2018, it was found that Y & B phase voltage was not recorded in the meter. Out of total electrical energy used by the consumer, only 33% was recorded in the meter. The meter was recording 66.15% slow. So, the meter was checked through Accucheck & aforesaid defect was found.
- 4) The meter of consumer was tested in presence of their representative Shri. Bhagwan B.Meher, who has signed, on the spot inspection report. Taking into account testing report of the meter, the Additional Executive Engineer flying squad by his letter No.796, Dt.23.04.2018 directed to issue bill of 91814 units to the petitioner by way of normal assessment. So, by including those units, 91814, alongwith current unit 5300 for total units 97114, bill of Rs.7,80,957/- was charged. On deduction of subsidy amount Rs. 1,84,516.00 bill of Rs.5,96,440/- was issued. The petitioner has not paid the bill, so his electric connection was temporarily disconnected on Dt.25.07.2018. On Dt. 23.08.2018, the consumer has made payment of Rs. 3,00,000/-. Till to date of filing say electric supply is disconnected.
- 5) The complaint lodged by petitioner before IGRC was dismissed. The disputed bill is just & proper, hence, complaint may be rejected.
- 6) In the rejoinder (P.NO.37) the petitioner has submitted as under :-
 - 1) Proper metering system was not ensured. For the period of ten months, incorrect bills are issued.
 - 2) Bill of 91814 units is not for metered energy consumption.
- 7) It is requested to make PD connection live.

- 8) We have perused the pleading & documents filed by both the parties on record. Heard consumer representative Shri. Lobhe and Respondent representative Shri. D.R. Punde, Dy.EE, Gangapur Subdivision.
- 9) Following points arise for our determination & we have recorded its findings for reasons to follow.:-

POINTS	ANSWER
1) Whether Assesed addition of electricity bill of April 2018 of 91814 units is just & correct ?.	Yes.
2) What order?	As per final order

REASONS

- 10) **Point No. 1:-** It is seen from disputed bill (page No.9), that electric connection has been released on Dt.08.07.2017 for Industrial LT VB II purpose, connected load 107 HP and contract demand 100 KVA. Meter Sr.No. is 05797612 to the petitioner. Consumer has stated that, he had paid all energy bill every month since the date of power supply connection, except the additional energy bill of April-2018. Assesed additional energy bill is not acceptable to him. Consumer had filed complaint before IGRC on Dt.03.01.2018 and IGRC passed order अअ/ग्रां.मं/तां/आयजीआरसी आय डी /२०१८-१९/४७११ / DT.०३.११.२०१८.

कारणे

- 11) “ दिनांक १७.०४.२०१९ रोजी अतिरिक्त कार्यकारी अभियंता भरारी पथक यांनी केलेल्या स्थळ पाहणी नुसार ग्राहकाचे मिटर PT चे तीन टर्मिनल (RY & B) पैकी दोन टर्मिनलचे स्क्रू ढिल्ले आढळून आले म्हणजे ग्राहकाचे १००% पैकी फक्त ३३% वीज वापराची मीटर मध्ये नोंद होत होती.

त्याच प्रमाणे मीटर डीसप्लेवर Y & B फेज होल्टेज मीसींग दर्शवीत होते. अॅक्युचेक मशीनद्वारे तपासणी केली असता मीटर ६६.१५% स्लो आढळले. सदर स्थळ तपासणी अहवालावर ग्राहकाच्या प्रतिनिधीची स्वाक्षरी आहे.

ग्राहकाचा वीज बीलानुसार विद्युत वापर ऑगस्ट २०१७ ते मार्च २०१८ या कालावधीत सरासरी किमान ३०२५ ते कमाल ७२४२ युनीट आढळून आलेला आहे.

परंतु स्थळ तपासणी नंतर मे २०१८ व जून २०१८ मध्ये सरासरी वापर १०३७२ ते कमाल १२०३७ युनीट आढळून आलेला आहे. सदरचा वाढीव वापर हा PT चे ढिल्ले स्क्रू आवळल्यानंतर आढळून आलेला आहे. तसेच ग्राहकाचे MD मध्ये वाढ झाल्याचे दिसून येते.”

आदेश:-

“ ग्राहकाची तक्रार नाकारण्यात येत आहे व अर्ज निकाली काढण्यात येत आहे ”.

12) Aggrived due to IGRC order consumer filed complaints before CGRF on Dt. 05.02.2019.

13) Consumers premises was inspected by Additonal Executive Engineer Flying Squad Rural Aurangabad on Dt. 17.04.2018. Spot inspection report (page No.59 & 60) carried out in premises M/s Bhagwati Industries, consumer No.508461282290, meter make Genus Sr.No.5797672, irregularities observed & Remarks are as under:-

“Meter tested found working ‘Ok’ after tightening meter PT Screws. While checking it is observed that Y & B phase voltage is missing in the meter i.e. only 33% consumption is recorded to the meter. As per Accucheck result meter working slow within % error - 66.15% Action taken after inspection. ”

“Assessment proposed as per MSEDCL rules & regulations.”

14) Additional Executive Engineer, Flying Squad Rural Aurangabad vide letter No. Addl EE/FS/Abad/R/796 Dt. 23.04.2018 said that “only 33% consumption recorded on the meter and assessment for 66% not

recorded units as per normal billing. Issue the bill to consumer of total 91814 units non recorded units on meter Total unit recorded on meter is 33% = 45907 KWH.

Since the date of installation of meter till to date total assessment unit proposed is 66% = 91814 KWH since the date of installation of meter to till to date”.

- 15) Accordingly, Dy.EE Gangapur Subdivision issued bill for month April 2018, assessment units 91814 and current month consumption 5300 units considering current reading on Dt.27.04.2018 as 47854 KWH and previous reading on Dt. 31.03.2018 as 42553 KWH difference as 5300 units. Hence, total units 97114 billed of Rs. 7,80,957/- and after deduction of subsidy net payable bill is Rs. 5,96,440/-. Consumer's supply was disconnected on Dt.25.07.2018 due to non payment of arrears. After that consumer has paid Rs. 3,00,000/- towards energy bill.
- 16) On directions issued by us, the Respondent has produced MRI data on Dt. 21.05.2019 (page No. 40 to 58) MRI data for Tamper Report for meter Sr.No.5797672 on Dt.24.07.2017 report shows B Phase PT link missing and voltages R- phase (Page No.40) 263.3 V, Y phase – 0 V, B phase 0 Volt on Dt. 30.03.2018 (page No.41) voltage are like R phase 276.7 V, Y phase 0, B Phase '0'.
- 17) After Flying Squad inspection on Dt. 14.04.2018 and connections made tightened MRI Report of May 2018 (page No. 58) voltages equal on 3 phases 25 kV and current 'zero' as load is disconnected.
- 18) CPL of consumer shows that from Dt. Of connection (Page No. 20 & 21) in month July to March-2018 consumption is low maximum recorded in

month August 2017 is 7242 KWH. After connections tightening on Dt. 14.04.2018 consumption for May 2016 is recorded 12037 KWH.

- 19) From above, it is clear that since Dt. of connection July 2017 to March 2018 consumers meter recorded low consumption as two phase voltage missing due to non tightening of meter PT screws. MRI data of CPL confirms it. Hence, Respondent action to asses just units & recover un-billed units of 91814 units for period July to March 2018 is proper.
- 20) Hence, the bill of April 2018 is found correct. We record our finding to point No.1 in the affirmative.
- 21) Considering above discussion, we proceed to pass following order in reply to point No.2.

ORDER

- 1) The complaint stands dismissed.
- 2) Parties to bear their own cost.

Sd/-
Shobha B. Varma
Chairperson

Sd/-
Laxman M. Kakade
Member / Secretary

Sd/-
Vilaschandra S.Kabra
Member