

**CONSUMER GRIEVANCE REDRESSAL FORUM,**  
**AKOLA ZONE, AKOLA.**

*“Vidyut Bhavan” Ratanlal Plot ,Akola. Tel No 0724.2434475*

**ORDER**

**Dt:- 14.06.2019**

**Complaint No :- 19/2019 Dated 15.04.2019**

**In the matter of grievance pertaining to billing complaint and its correction.**

**Quorum**

**Dr.V.N.Bapat- Chairman**

**Shri.D.M.Deshpande, Member (CPO)**

**Shri. R.A.Ramteke, Member – Secretary**

1. Shri. Mohit Rajkumar Jaiswal. :- Complainant  
Consumer no. LTI -310070207094  
Tilak Road Near Janta Bank  
Akola -444001.

**.....Vrs.....**

- Executive Engineer, :- Respondent  
MSEDCL, O. & M.  
Urban Division Akola.

**Appearances**

1. Shri. Mohit Rajkumar Jaiswal - Representative for Complainant  
2. Shri. W. N. Likhare - Additional Executive Engineer,  
MSEDCL,

1) On being aggrieved by the decision of IGRC Akola issued vide SE/AKL/IGRC/1216 dated 19.03.2019 the complainant Shri. Mohit R. Jaiswal approached this Forum under section 6.4 of MERC CGRF and OMBUDSMAN Regulation 2006 for resolving the grievance.

2) The Complainant's case in brief is that complaint is filed in the capacity of occupier of the premises since the electric connection for residential purposes is in the name of his grandfather from 01.01.1980, for load of 0.30 KW. According to complainant NA MSEDCL is issuing average bill from October 2016 for 357 units and for December 2016 for 1660 units as seen from the CPL generated on 15.12.2018. According to complainant bill for Rs. 27,000/- and Rs. 15030/- is paid for the month of Jan 2017 and May 2017 respectively. According to complainant NA MSEDCL continued issuing average bill from Jan 2017 to Nov 2017 with reading bill for Nov 2017 for 4216 units, for Rs. 14,300/- which is paid on 03.11.2017. According to complainant NA MSEDCL issued normal bill in Dec 2017 and continued average billing thereafter from Jan 2018 to Sept 2018 issuing normal bill for Sept 2018 and lock credit is passed on and Rs. 42,900/- for Sept 2018 is also paid. According to complainant the bill issued in Nov 2018 for Rs. 57,695/- is disputed and not paid by the complainant.. According to complainant meter testing charges Rs. 177/- are paid on 04.12.2018 at the time of complaint. According to complainant the meter is not tested uptill now and NA MSEDCL issued more than two bills with average which is not permissible as per E.A. 2003. According to complainant NA MSEDCL is not taking regular reading and the act is illegal as per law. According to complainant the bills should be revised as per meter testing report and till that time complainant is ready to pay current bill without arrears as per law. According to complainant till the dispute is solved NA MSEDCL should not demand arrears bill and should not disconnect the supply. Complainant annexed letter to CFC dated 04.12.2018 Receipt for Rs. 177/- dated 24.12.2018, receipt for Rs. 42,900/- dated 28.09.2018, provisional bill for Rs. 42,900/-, bill for Sept 2018 Rs. 3,860/-, receipt for Rs. 3,860/-, bill for Nov 2018 for Rs. 59,900/-, copy of CPL from Oct 2016 to Oct 2018 and IGRC order.

3) Reply came to be filed belatedly by NA MSEDCL on 10.05.2019. According to NA MSEDCL bill for Octo 2018 is reading bill for 5391 units for 10 months amounting Rs. 42,611/- after passing lock credit of Rs. 29,691/- which is not paid by complainant. According to NA MSEDCL the demand draft, drawn on central Bank of India for payment of energy bill for Sept 2018 No DD 30368 for Rs. 18,000/- issued in favour of MSEDCL was bounced due to insufficient balance and Rs. 18,111/- was debited to complainants account through system. According to NA MSEDCL excess charged Rs. 18,111/- to the complainant is credited in the month of Feb 2019 and net bill for Rs. 48,939/- is unpaid uptill now. According to NA MSEDCL meter No. 11843262 was tested on

10.01.2019 at the consumer premises and according to testing report meter is found to be normal. NA MSEDCL Annexed IGRC order dated 19.03.2019, test report dated 10.01.2019, and copy of reply dated 19.09.2016 before IGRC and complaint before IGRC along with the reply.

4) Shri. Mohit Jaiswal complainant and Shri. W. N. Likhare, Additional Executive Engineer for MSEDCL were present for the hearing held on 03.06.2019. Shri. Mohit Jaiswal complainant reiterated the grievance on record and specifically brought to the notice of Forum that complainant was required to pay a huge amount of interest and DPC on account of wrong billing by MSEDCL in the year 2016 and 2017 as MSEDCL issued average bills continuously for 10 to 12 months, the bills were not disputed and paid. Shri Monit Jaiswal complainant urged that in the present dispute also NA MSEDCL issued average bill from Jan 2018 to Oct 2018 and sought relief against the illegal act on the part of MSEDCL.

5) Shri W. N. Likhare, Additional Executive Engineer for MSEDCL urged that the reading bill for the period of Jan 2018 to Oct 2018 for 10 month is issued by giving lock credit for average billing of 10 months which is correct and complainant has not paid uptill now and urged that the meter is tested on 10.01.2019 and found to be in order and hence issued bill is correct and requires no revision.

6) Having heard the parties Forum directed NA MSEDCL to file on record before 7th June 2019 the manual bill revision for the period Jan 2018 to Oct 2018 as per actual meter reading by considering arrears of 13101.37 as on Dec 2017 and adjustment of payment of Rs. 42,900/- on 28.09.2019 without DPC and arrears of interest.

7) NA MSEDCL did not file on record upto 7th June 2019 the bill revision ordered by Forum.

8) Having heard the parties and considering the material placed on record Forum finds substance in the grievance that NA MSEDCL issued average energy bills since June 2015 and normal reading bills are issued on 10 occasions in 41 months which is in violation of supply code regulation 2005 according to which, MSEDCL can issue only two bills with average consumption. Forum is of the view that because of irregular practice on the part

of NA MSEDCL in issuing average bills continuously wrong bills are issued and remain unpaid by complainant and Forum is of the view that NA MSEDCL cannot charge interest, arrears of interest and DPC on the wrong billing. Forum have noted the fact on record that NA MSEDCL recovered huge amount of interest and DPC from June 2015 up to December 2017 which is not disputed and paid by the complainant. In the present grievance complainant has disputed the revision of bill in the month of October 2018 for 10 months and Forum is inclined to waive the arrears of interest and DPC shown as chargeable from Jan 2018 till correction bill by giving credit adjustment in respect of arrears of interest and DPC from Jan 2018 till correction in ensuing bill to be issued after passing of this order. Forum is also inclined to allow SOP Compensation from Jan 2018 to Oct 2018 at Rs. 200/- for Jan 2018 and 100/- per month from Feb 2018 to Oct 2018, as NA MSEDCL continued practice of issuing average bills without taking meter reading upto Oct 2018. Forum is also of the view that NA MSEDCL should refund Rs. 177/- collected towards meter testing charges as meter is not tested as per procedure laid down in supply code 2005 read with CEA Regulation 2006, though the meter tested on accucheck at complainants premises is not disputed.

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

### **ORDER**

1. That the Complaint No. 19/2019 Dated 15/04/2019 is hereby partly allowed.
2. That the NA MSEDCL is directed to waive arrears of interest and DPC charged in CPL from Jan 2018 till correction in the ensuing energy bill and credit of amount be given in the ensuing bill payable by the complainant.
3. That the NA MSEDCL is directed to refund Rs. 177/- collected towards meter testing and credit be passed on in the ensuing energy bill payable by the complainant.
4. That the NA MSEDCL is directed to compensate complainant for not issuing reading bill amounting Rs. 2000/- for the period Jan 2018 to Oct 2018 and credit the amount in the ensuing bill payable by the complainant.
5. That the NA MSEDCL is directed to recover the revenue loss from guilty officers/employees and agency of MSEDCL after due enquiry.

6. That the NA MSEDCL is directed to submit a compliance report to Forum within one month.

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/129

Dt:- 14.06.2019

To,  
The Nodal Officer  
Executive Engineer,  
MSEDCL, O. & M.  
Urban Division Akola.

The order passed on **14.06.2019** in the Complaint No. **19/2019** 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:-**

Shri. Mohit Rajkumar Jaiswal, Tilak Road Near Janta Bank Akola 444001.