

CONSUMER GRIEVANCE REDRESSAL FORUM,
AKOLA ZONE, AKOLA.

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

ORDER

Dt:- 26.06.2019

Complaint No :- 21/2019 Dated 29.04.2019

In the matter of grievance pertaining to billing complaint of not issuing reading bill for Ag connection and correction of bill.

Quorum

Dr.V.N.Bapat- Chairman

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

Shri. R.A.Ramteke, Member – Secretary

1. Shri. Vijay Wamanrao Sabde. :- Complainant
Consumer no. Ag -311050003529
(Kanheri) ‘Ram-Raksha’ Saraswati
Nagar Near Tukaram Hospital,
Ring Road Akola-444004.

.....Vrs.....

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

Appearances

1. Shri. Vijay Wamanrao Sabde - Representative for Complainant
2. Shri. P. U. Kalore - Dy. Executive Engineer,
MSEDCL, for Respondent.

1) On being aggrieved by the decision of IGRC Akola issued vide SE/IGRC/AKL/550 dated 04.02.2019 the complainant Shri. Vijay Wamanrao Sabde approached this Forum under section 6.4 of MERC CGRF and OMBUDSMAN Regulation 2006 for resolving the grievance.

2) Complainant's case in brief is that NA MSEDCL released Agriculture connection to 3 HP pump at Kanheri Sarap Gut No. 545 on 02.08.2011. According to complainant NA MSEDCL is not issuing reading bill from the date of connection and issued energy bills by mentioning excessive imaginary reading thereby issuing wrong and excessive bills. According to complainant bill for Dec 2013 was issued with current reading as '6728' while on inspection found to be '1221', similarly bill for Sept 2017 was issued with current reading as '17061' while on inspection on 06.11.2017 found to be 10055, copy of inspection report enclosed. According to complainant despite letters dated 06.11.2017, 11.06.2018, 25.06.2018 copies enclosed, NA MSEDCL continued issuing irrational energy bills. According to complainant on participation in 'Chief Minister Krishi Sanjivani Yojana 2017' 1st Installment of Rs. 2000/- was paid on 06.11.2017, while five installments of Rs. 1,970/- each were paid on 28.12.2017, 09.03.2018, 11.06.2018, 06.10.2018 and 19.11.2018. According to complainant despite payment under Krishi Sanjivani Yojana NA MSEDCL were showing arrears against the connection and hence CPL copy was sought, which was made available by NA MSEDCL on 26.11.2018. According to complainant NA MSEDCL showed Lock and faulty status, during Dec 16 to 17 when meter was in working condition. According to complainant before implementation of Krishi Sanjivani Yojana in 2017 NA MSEDCL did not correct the energy bill as per their own inspection report of 06.11.2017. According to complainant as meter was faulty after 06.11.2017, till replacement in Jan 2019 average of corrected bill should be considered for issuing future bills and meter should be replaced as faulty.

Complainant Prays:-

- a. Energy bill should be corrected as per inspection report of 06.11.2017 as per reading of 10055 KWH and difference of amount for 7006 units may please be credited to account for billing in Sept 2017.
- b. As meter was faulty from 06.11.2017 to Jan 2019 average consumption calculated on the basis of bill from 2011 to 2017 may please be considered for issuing energy bill.
- c. Faulty meter installed from Jan 2019 should be replaced and NA MSEDCL should be directed to issue meter card and recording of meter reading on cards every quarter .
- d. To allow cost of Rs. 2000/- as complainant was required to visit various offices of MSEDCL for resolving the grievance. Complainant Annexes energy bill for Jan 2014, inspection report dated 19.09.2013, letter to Dy. Executive Engineer,

Barshitakli dated 06.11.2017, bill for Oct 2017, inspection report dated 06.11.2017, letter to MSEDCL dated 11.06.2018, 25.06.2018, Krishi Sanjivani Yojana bill June 2017, copy of CPL and complaint before IGRC Akola along with the complaint.

3) NA MSEDCL did not file any reply on record nor given copy of reply to complainant till the date of hearing on 03.06.2019.

4) Shri. Vijay Sabde complainant and Shri. P. U. Kalore, Dy. Executive Engineer Barshi Takli for MSEDCL were present for the hearing held on 03.06.2019.

5) Shri. P. U. Kalore, Dy. Executive Engineer MSEDCL requested Forum to admit reply dated 03.06.2019 which was not signed by respondent Executive Engineer and without acknowledgement of complainant for having received the reply and without any delay condonation request from respondent Executive Engineer Rural Akola. The said reply has not been accepted by the Forum and not taken on record.

6) Shri. Vijay Sabde complainant reiterated the grievance complaint on record and brought to the notice of Forum, the site inspection report dated 19.09.2013 and 06.11.2017 signed by MSEDCL and filed on record to show that actual meter reading as on 19.09.2013 was 1221 and on 06.11.2017 was '10055' while MSEDCL issued bill for Dec 2013 up to the reading '6728' and up to Dec 2017 for reading '17061' and urged that reading bill taking into consideration consumption of '10055' as on Dec 2017 from date of connection be revised and average consumption may please applied for issuing energy bill during the faulty meter period.

7) Having heard the parties and considering material placed on record by the complainant, Forum is of the view that from the date of connection on 02.08.2011 NA MSEDCL issued energy bills without taking actual meter reading but giving normal status in the CPL as is evident from the meter inspection report at the premises on 19.09.2013 in presence of complainant when meter reading as on 19.09.2013 found to be '1221' while forward billing up to '6728' unit was carried out and wrong energy bills were issued by NA MSEDCL. Similarly from inspection report dated 06.11.2017 filed on record it is found that NA MSEDCL billed up to meter reading of '17061' for Dec 2017 when actual reading on the meter was '10025'. It is fact on record that meter gone faulty from Jan 2018 till

replaced by another faulty meter in Jan 2019. Forum is of the view that NA MSEDCL violated the supply code regulation 2005 read with SOP Regulation 2005 and 2014 and issued average bills without taking any reading and of the opinion that all the energy bills issued to complainant from 02.08.2011 till March 2019 quarter needs to be set aside and revised bills should be issued considering meter reading as '0' on 02.08.2011 and '10055' on Dec 2017; without charging interest, DPC or arrears of interest in bill revision. Forum is also of the opinion that energy bill issued under 'Chief Minister Krishi Sanjivane Yojna' in June 2017 is wrong as based on escalated consumption and needs to be set aside. Forum is of the view that NA MSEDCL should be directed to carryout bill revision from 02.08.2011 to Dec 2017 for '10055' units and as meter was faulty after Dec 2017 quarter; average of 10055 units/ 26 quarter = 386.73 units should be considered for billing purposes after Dec 2017 till faulty meter is replaced by NA MSEDCL. Forum is convinced that complainant had to take up the matter with the offices of MSEDCL for years together without taking cognizance by MSEDCL authorities and hence cost of Rs. 2000/- is justified to be paid to complainant in the ensuing bill for June 2019 to meet the ends of justice.

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

ORDER

1. That the Complaint No. 21/2019 Dated 29/04/2019 is hereby partly allowed.
2. That the NA MSEDCL is directed to set aside all energy bills issued to complainant from 02.08.2011 till March 2019 as they are based on wrong consumption.
3. That the NA MSEDCL is directed to revise the bill from 02.08.2011 till Dec 2017 as per actual meter reading of '0' Units on 02.08.2011 and '10055' units on Dec 2017; without charging interest, DPC or arrears of interest considering quarter wise billing for Ag consumers and payments by complainant from 2011 to Dec 2017 should be adjusted in revision.
4. That the NA MSEDCL is directed to revise energy bills from March 2018 quarter till replacement by correct meter at the average of 386.73 units per quarter and on replacement of meter; reading bills should be issued in future and all payments by complainants be adjusted in revision.
5. That the NA MSEDCL is directed to carry out revision as per this order before issue of energy bill for the quarter ending June 2019 and corrected upto date bill should be issued for June 2019 quarter.

6. That NA MSEDCL to pay cost of Rs. 2000/- to be adjusted in the ensuing bill payable by complainant for June 2019. The said penalty amount and the interest lost should be recovered from the guilty employee of MSEDCL after due enquiry in this behalf.
7. That the NA MSEDCL is directed to submit a 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/141

Dt:- 26.06.2019

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

The order passed on **26/6/2019** in the Complaint No. **21/2019** 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. Vijay Wamanrao Sabde, 'Ram-Raksha' Saraswati Nagar
Near Tukaram Hospital, Ring Road, Akola-444004.