

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

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**Case No. CGRF(NZ)/100/2017**

Applicant : Shri Khairul Bashar Mohd. Yasin Ansari,  
H. No. 738, Haidari Masjid Road,  
Nagpur.

Non-applicant : Nodal Officer,  
The Superintending Engineer,  
(D/F), NUC, MSEDCL, Nagpur

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Applicant represented by : 1) Shri. Khairul Bashar Moha. Yasin Ansari,

Non-applicant represented by : 1) Smt. P. S. Machalwar, L.D.C. MSEDCL.

2) Shri Dahasahastra, SNDL Nagpur.

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Quorum Present : 1) Shri Vishnu S. Bute,  
Chairman.

2) Shri N.V.Bansod,  
Member

3) Mrs. V.N.Parihar,  
Member Secretary.

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**ORDER PASSED ON 16.12.2017**

2. The applicant, Shri Khairul Bashar Mohd. Yasin Ansari, presented this grievance, feeling aggrieved by the order passed by the IGRC – SND Ltd. Nagpur in case No. 0471/2017 on 28-10-2017.

A notice was given to the respondent. On 16-12-17 both the parties were present. They were heard.

3. Shri Khairul Bashar Mohd. Yasin Ansari, argued that in April 2017 a meter reader noticed that the meter is not functioning and it is hanged. He assured that he would arrange to change the meter. However no action was by the respondent. Thereafter he made a written complaint. The responded changed the meter on 4-9-17. He used to pay the bills as issued by the respondent even though the respondent used to show the meter status as faulty. He approached the IGRC. The IGRC also clearly mentioned that the respondent wrongly issued bill for 2352 units as against 1253 units. The respondent gave a bill for Oct.2017 of Rs.20170/- for 1570 units. The bill is wrong and unjustified.

4. The respondent submitted reply under no. SNDL/COMM/CGRF/2249 dt. 27-11-2017. At the time of hearing Shri Dashsahastra replied that the dispute is for the period from April-2017 to October-2017. In April-2017 and May-2017 the meter status was, "Inaccess". So a bill was issued showing the average consumption of 103 units per month. In June-2017 it was noticed that the meter was, "faulty" and a bill of Rs.783.39 was issued. From July-17 to Sept.17 the meter status was, "Faulty". The meter was replaced on 4.9.2017. When the meter was replaced, it was showing the reading as 2244 KWH. A bill for Oct.2017 was given showing the total consumption of 1570 units.

The applicant approached the IGRC. The IGRC set aside the bill. Now as per new meter his consumption is 179 units per month. So a revised bill for the period April-17 to Oct-17 is issued ( $179 \times 7 = 1253$ ) of 1253 Units. An amount of Rs.16955.90/- is deducted from the bill of the month Nov-2017.

5. We have perused the record. We have heard both parties carefully.

The respondent themselves admitted that the meter was faulty. The IGRC in order no. 0471/2017 dt. 28.10.2017, recorded the observation which reads as under, "When the meter is declared faulty, then its IR should not be considered for calculation of adjustment units. But the bill should be revised on the basis of new meter consumption which is 179 units per month. The total consumption for seven months – April-2017 to Oct-2017 should be bills for ( $179 \times 7 = 1253$ ) units as against already billed for 2352 units.

The IGRC set aside the bill and directed to issue revise bill.

As against the above situation, the provisions in the MERC (Electricity supply code and other conditions of supply) Regulations 2005 regarding defective meter reads as under.

**15.4 Billing in the event of Defective meters.**

*15.4.1 Subject to the provisions of Part XII and Part XIV of the Act, in case of a defective meter, the amount of the consumers bill shall be adjusted for a maximum period of three months prior to the month in which the dispute*

*has arisen, in accordance with the results of the test taken subject to furnishing the test report of the meter alongwith the assessed bill.*

*“Provided that, .....”*

*Provided further that in case the meter has stopped recording, the consumer will be billed for the period for which the meter has stopped recording, upto a maximum period of three months, based on the average metered consumption for twelve months immediately preceding the three months prior to the month in which the billing is contemplated.*

On perusal of the order passed by the IGRC it reveal that the IGRC neither referred to the above said provision nor passed the order taking into consideration these provisions. In such circumstances the impugned order can not be allowed to sustain.

In view of the above we pass the following order.

**ORDER**

1. The order passed by the IGRC in case no. 471/2017 on 28.10.17 is hereby set aside.
2. The respondent should issue a fresh bill to the applicant taking into consideration the provisions of Regulation 15.4.1 of the supply code.

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

Sd/-  
**(N. V. Bansod)**  
MEMBER(CPO)

Sd/-  
**(Vishnu S. Bute),**  
CHAIRMAN

