

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

Case No. CGRF(NUZ)/98/2013

Applicant : Shri Rupak Lakshmidhar Ingle,
House No. 1128,
K/A1, Darshan Colony, Nandanwan,
NAGPUR : 440 009.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
MSEDCL,
NAGPUR.

Quorum Present : 1) Shri. Shivajirao S. Patil
Chairman,

2) Shri B.A. Wasnik,
Member Secretary.

ORDER PASSED ON 18.7.2013.

1. The applicant filed present grievance application before this Forum on 13.6.2013 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. The applicants' case in brief is that the applicant filed an application to Sub-Engineer, Bagadganj, Nagpur on 10.4.2010 and informed about faulty meter. But no action was taken. The applicant deposited Rs. 700/- on 28.8.2012 as cost of meter but meter is not replaced. Average bill of 50 units per month from

January 2011 are issued and they are illegal. The applicant was consuming less than 30 units per month. Therefore applicant claimed to revise average bill of Rs. 16240/- since January 2011 till filing of grievance application. The applicant also claimed Rs. 700/- for replacement of burnt meter.

3. Non applicant M/s. SPANCO denied applicant's case by filing reply Dt. 6.7.2013. It is submitted that since March 2010 meter was burnt and therefore status is shown as faulty and average bill of 28 units per month are issued till December 2010. In the month of January 2011 average bill of 50 units per month is issued. The applicant applied on 10.4.2010 that due to short circuit the meter is burnt and therefore it may be replaced. Therefore applicant was directed to deposit meter replacement charges of Rs. 700/- which applicant deposited on 28.8.2012. On 24.12.2012 the applicant applied to replace faulty meter. Employees & Officers of M/s. SPANCO went to replace the meter but shop of the applicant was closed. Again on 19.2.2013 and 21.2.2013 employees of M/s. SPANCO went to replace the meter but the applicant did not allow to replace the meter. The applicant made last payment of Rs. 980/- for the month of March 2011 on 16.4.2011 and thereafter did not pay anything. Therefore amount of Rs. 26,989/- is due and outstanding against the applicant. As per request of the applicant bills for the period January 2011 to June 2013 needs to be revised and non applicant is ready to revise these bills at the average of 28 units per month only.

4. Forum heard arguments of both the sides and perused the record.

5. In reply of non applicant dt. 6.7.2013 it is specifically aditted that non applicant is ready to revise the bill for the period June 2011 to June 2013 at an average of 28 units per month and applicant orally expressed his consent for 28 units per month consumption. It is note worthy that in para No. 3 of the grievance application the applicant admitted that his previous consumption was 30 units per month. Therefore readiness and willingness of the non applicant to revise the bill at 28 units per month for the period 2011 to June 2013 appears to be justified and it is also consented by the applicant. Therefore such revision is necessary.

6. It is specifically mentioned in reply of non applicant that on 10.4.2010, applicant filed an application to non applicant and informed that due to short circuit meter is burnt. Therefore applicant was directed to deposit meter replacement charges of Rs. 700/-. It is note worthy that applicant himself produced copy of his application Dt. 9.4. 2010 which was presented on 10.4.2010 to Sub-Engineer (NSC) Bagadganj Nagpur under signature of the applicant and in this application it is specifically mentioned that meter of the applicant is burnt due to short circuit. There fore it is clear that meter of the applicant was burnt due to shortcircuit. According to regulation 14.2.2 of MERC (Electricity Supply Code and other Conditions of Supply) regulations 2005, in case of burnt meter, if supply is cut off shall be restored after installation of new meter and **payment by consumer of the price of the meter,**

cost of other apparatus, and any other applicable deposits and charges based on the approved schedule charges under regulation 18. Therefore it is clear that applicant has to deposit charges of burnt meter which he has deposited and this amount can not be refunded back to the applicant. Considering the facts and circumstances of the case, in our opinion the applicant is not entitled for any compensation. Hence following order :-

ORDER

- 1) Grievance application is partly allowed.
- 2) Non applicant is hereby directed to revise the bills of the applicant for the period January 2011 to June 2013 and further more till the replacement of meter at 28 units per month and revise the bill accordingly.
- 3) Non applicant is hereby directed to replace the faulty meter of the applicant and applicant shall cooperate in such replacement and shall not oppose.
- 4) Claim for refund of Rs. 700/- towards burnt meter charges and for compensation is rejected.
- 5) Non applicant is hereby directed to comply the order within 30 days from the date of receipt of this order.

Sd/-
(Shri B.A. Wasnik)
MEMBER
SECRETARY

Sd/-
(Shri Shivajirao S. Patil)
CHAIRMAN