

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

Case No. CGRF(NUZ)/63/2014

Applicant : Shri Purushottam Eknath Kawade,
Hitesh Palace, Flat No. 204, Jaripatka,
Ring Road,
Nagpur.

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

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

2) Adv. Subhash Jichkar
Member.

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

ORDER PASSED ON 25.3.2014.

1. The applicant filed present grievance application before this Forum on 1.3.2014 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 applicant's case in brief is that applicant is a residential consumer of non applicant, bearing Consumer No. 410016176498. His energy meter was replaced in October 2013 and

after that he has received excessive energy bill in the month of October 2013 and November 2013. When he complained to non applicant, non applicant informed that meter is O.K. Therefore the applicant approached to I.G.R.C. I.G.R.C. disposed off the grievance application by order dt. 29.01.2014, but the applicant is not satisfied with the same. Hence applicant filed present grievance application for revision of bills.

3. Non applicant denied applicant's case by filing reply dated 19.3.2014. It is submitted that the consumer is being billed as per actual meter reading. Old meter No. 76/02295558 was replaced in the month of October 2013 and new meter No. 55/SND-76289 was installed. In the month of October 2013, bill for actual meter reading for 854 plus previous adjustment of 218 units totaling to 1072 for Rs. 6776.25 was issued by deducting Rs. 11898.76 for previous eight months average units. In the month of November 2013, bill for actual meter reading for 1329 units was issued. On receiving complaint from the consumer, his meter No. 55/SND-76289, was tested by acucheck where meter is found O.K. The consumer was not satisfied with this result, and hence approached to I.G.R.C. As per directives of Learned I.G.R.C. meter of the applicant was tested in meter testing laboratory in front of consumer on Dt. 27.2.2014, where meter was found O.K. However, as the consumer tampered the meter by magnetic interference during 12.10.2013 to 19.10.2013, the meter jumped from '0' to 2183 units. Hence Grievance application may be dismissed.

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

5. CPL of the applicant shows that consumption shot up in October 2013 and November 2013, i.e. after meter replacement. CPL also shows that the meter remained on same reading i.e. 2183 during December 2013 to February 2014. In remark column below the meter testing report, it is mentioned that meter was registering energy at Max. Load of 14.14 kW due to '**some**' *magnetic interference*. Hence the meter is declared as faulty. Hence it is evident on record that the meter is 'faulty' and hence the consumption recorded by the meter can not be relied upon. As mentioned in reply of the non applicant, there is nothing on record to show that the said '*magnetic interference*' has been committed by the applicant. On the contrary, it can be said that, had the said '**magnetic interference**' been committed by the applicant, the non applicant could have registered an offence u/s 135 and / or 138 against the applicant which is not done. As such the faulty status of the meter is undisputed. Therefore this Forum is of the opinion that the bill of the applicant needs to be revised under the circumstances.

7. For these reasons, Forum proceeds to pass following order: -

ORDER

- 1) Grievance application is partly allowed.
- 2) The Non applicant is directed to withdraw the bill charged for the period from October 2013 till the replacement of the

said meter, along with DPC, interest and other charges if any.

- 3) Non applicant M/s. SPANCO is directed to revise the bill of applicant from October 2013 till the replacement of the meter, by charging energy bill to the applicant on the basis of average monthly consumption of the same corresponding period of previous year i.e. 2012-13 by giving suitable slab benefit if necessary.
- 4) Non applicant is directed to deduct the amount paid by the applicant during the above period from the bill revised as above.
- 5) Non applicant to submit compliance within 30 days from the date of this order.

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

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Vishnu S. Bute),
CHAIRMAN