

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

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**Case No. CGRF(NUZ)/015/2008**

Applicant : Smt. Priya Bhaurao Ghodeswar,  
Through Bhaurao G. Ghodeswar,  
At. Bezanbag H.No. 765,  
Nagpur.

Non-applicant : MSEDCL represented by  
the Nodal Officer-  
Executive Engineer,  
Civil Lines Division, NUZ,  
Nagpur.

Quorum Present : 1) Shri S.D. Jahagirdar,  
Chairman,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.

2) Shri S.J. Bhargawa  
Executive Engineer &  
Member Secretary,  
Consumer Grievance Redressal  
Forum, Nagpur Urban Zone,  
Nagpur.

**ORDER (Passed on 31.03.2008)**

This grievance application is filed on 03.03.2008 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of erroneous and excessive billing for the period from May, 2006 to December, 2007. She has challenged the energy bill dated 04.12.2007 for Rs. 56,360/- which, according to her is excessive and improper and illegal.

Before approaching this Forum, the applicant had filed her grievance on the same subject matter before the Executive Engineer, Civil Lines Division, MSEDCL, NUZ, Nagpur vide her application dated 22.12.2007. This was followed up by her subsequent application dated 21.01.2008. However, no remedy was provided to her grievance and hence, the present grievance application.

The intimation given to the Executive Engineer by the applicant as aforesaid is deemed to the intimation given to the Internal Grievance Redressal Unit (in short, the Cell) under the said Regulations and as such, she was not required to approach the Cell before coming to this Forum.

The matter was heard on 25.03.2008, 28.03.2008 and 31.03.2008.

The applicant's case was presented by her nominated representative one Shri Bhaurao Ghodeswar while the Dy. Executive Engineer Shri Bhure, Civil Lines Division, NUZ, Nagpur represented the non-applicant Company.

The contention of the applicant's representative is that the applicant is a consumer having consumer no. 410013405607. A meter, being meter no. 9005288828, was installed at the applicant's premises in May, 2006 and since then, this meter has stopped recording. The applicant complained to the non-applicant's officers on several occasions but to no purpose. Her defective meter was not also changed

till February, 2008 nor the defective meter was got tested from the Testing Laboratory. Instead, a huge arrear bill of Rs.56,361.15 was sent on 04.12.2007. On one occasion a provisional bill of Rs.87,520/- was given to the applicant and against this, she was asked to pay Rs.10,000/- which is already paid. Another provisional bill dated 29.02.2008 has also been issued by the non-applicant for Rs.30,750/-. This also is a provisional bill. However, the applicant was given to understand that her energy bills for the aforesaid period will be revised appropriately in due course of time. However, instead of revising the energy bill, a huge bill of arrear amount came to be issued. The applicant's representative has also challenged the quantum of consumption of 8719 units as reflected by the applicant's defective meter in question. He prayed that the erroneous bill in question may be quashed after getting the applicant's meter tested in the testing laboratory and the past energy bills revised appropriately.

The non-applicant has submitted his parawise report dated 29.03.2008 in which it has been stated that the applicant's old meter, being meter no. 68328, was replaced on 19.05.2006 by a new meter, being meter no. 5288828. However, the effect of change of this meter was not given in the consumer's CPL and hence, average billing came to be done to the applicant for the period from 19.05.2006 till the end of November 2007 against the old meter, being meter no.68328 though actually the new meter was already installed at the applicant's premises. During the aforesaid period the applicant has consumed 8821 units and hence, energy bill of Rs.56,631=15 was generated in the applicant's CPL. Accordingly energy bill dated 04.12.2007 for gross amount of Rs.56,360/- came to be issued on 04.12.2007. The applicant

was given slab benefit also from the date of installation of the new meter, being meter no. 5288828. Ultimately after revision, the applicant was billed for 9450 units from May 2006 to January 2008 for Rs.42,683.20. The applicant was given slab benefit of Rs.76,136.95/-. The applicant has not paid this bill so far. According to him, the applicant is liable to pay this amount. The applicant's meter, being meter no. 5288828, has been replaced in February 2008 by another new meter, being meter no. 9000319588.

The limited point that needs to be decided in this case is whether billing done to the applicant against her meter, being meter no. 5288828 for the period from May 2006 till end of December 2007 or for that matter till the end of January 2008 was correct or not.

After hearing both the parties, a decision was taken by this Forum to get the applicant's meter, being meter no. 5288828, tested by the Testing Division of NUZ, MSEDCL, Nagpur. Both the parties agreed to this proposition. Accordingly, this meter was tested by the Dy. E.E. (T) Division, NUZ, Nagpur on 28.03.2008 and testing report dated 29.03.2008 was produced on record. A copy of this report was given to the applicant's representative and he was afforded opportunity to submit his say on this report.

His submission is that the applicant's meter in question was found to be defective as per meter testing result and hence, appropriate decision may be taken in the matter.

The non-applicant's representative Shri Bhure, Dy.E.E. also admitted that the meter in question was defective.

In the light of above, as provided in Regulation 15.4.1 of the MERC (Electricity Supply Code and Other Conditions of Supply)

Regulations, 2005, the amount of the applicant's bill has to be adjusted for a maximum period of three months prior to month in which the dispute has arisen in accordance with the result of the test taken. Hence, it boils down to this that the applicant's meter in question was defective and hence, the applicant should be billed only for a period of three months in terms of aforesaid Regulation 15.4.1.

The non-applicant shall accordingly revise the applicant's bill. Needless to say that while revising the bill, whatever amounts have been paid by the applicant as energy consumption charges right from May 2006 till February 2008 shall be given due consideration.

The arrear bill of Rs. 56,360/- thus stands quashed.

In the result, the grievance application is allowed and it stands disposed of in terms of this order.

The non-applicant shall carryout this order and report compliance thereof to this Forum on or before 30.04.2008.

Sd/-  
**(S.J. Bhargawa)**  
Member-Secretary

Sd/-  
**(S.D. Jahagirdar)**  
CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM  
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's  
NAGPUR URBAN ZONE, NAGPUR.**