

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

Case No. CGRF(NUZ)/55/2014

Applicant : Shri Abdul Bhai Husain Ali,
C/o A.M. Alabuxji, Itwari,
Nagpur.

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

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

2) Adv. Subhash Jichkar
Member.

3) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 5.7.2014.

1. The applicant filed present grievance application before this Forum on 18.2.2014 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 he received excessive bills and therefore requested SNDL to test the meter. SNDL tested the meter by Acucheck and it is found O.K., but the applicant is not satisfied with that test report and requested to revise the bills.

3. Non applicant denied applicant's case by filing reply dated 7.3.2014. It is submitted that meter of the applicant was tested on 22.10.2013 in presence of the applicant and it is found O.K. Applicant complained to I.G.R.C. that meter testing is not proper and needs to revise the bill. As per order of I.G.R.C. again meter was tested on 8.2.2014 in the laboratory in presence of the applicant and it is found O.K. Therefore Learned I.G.R.C. dismissed the grievance application.

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

5. It was ordered by the Forum as per order dated 7.3.2014 that meter be tested in the laboratory of M.S.E.D.C.L. and to submit test report on or before 19.3.2014. However, uptill now meter testing report is not filed on record for the reason best known to SNDL & MSEDCL. Therefore we have no other alternative but to turn towards other material on record.

6. Record shows that meter of the applicant was tested by Acucheck by SNDL and it is found O.K. Applicant complained to Learned I.G.R.C. that this meter testing report of Acucheck is not proper and meter be tested in the laboratory. Therefore, as per the directions of Learned I.G.R.C. again meter of the applicant was tested in the laboratory on Dt. 22.10.2013 and found O.K. Record shows that applicant did not attend the laboratory to witness the testing even though contacted by laboratory incharge of SNDL and therefore testing report did not bear signature of the applicant. Therefore

again Learned I.G.R.C. has passed order in case No. 542/13 Dt. 30.10.2013 and thereby dismissed the grievance application on the basis of laboratory test report declaring the meter working normal. Applicant approached the testing laboratory for collecting the test report on 8.2.2014 and disputed meter was again tested in presence of applicant on 8.2.2014 and meter working found normal. Applicant has put his remark alleging that meter be retested in his presence. Therefore it is clear that at several times meter was tested by SNDL and reports are found normal. Even then again and again applicant is suspecting correctness of the meter. We have carefully perused meter testing report Dt. 22.10.2013. There is specific endorsement at bottom to the effect that “retested in my presence” under the signature of the applicant, with his mobile number and date. Therefore it is clear that meter is retested in presence of applicant and it is found O.K. Therefore, there is no reason or doubt about correctness of the meter testing report. SNDL produced spot inspection report Dt. 17.6.2013. It is an admitted fact that this building is apartments consisting of 2 different flats. There are 3 rooms each in each flat. There is one lift, one motor of water pump, and sufficient passage lights. It is a common meter of entire flat scheme. Needless to say that much consumption is required for lift purpose and water pump. In the light of this load, we have carefully perused CPL of the applicant. It appears that consumption recorded is perfectly justified and not excessive.

7. It is noteworthy that in number of months it is mentioned that meter is “Inaccessible” and “RNT”. During the course of hearing, Forum put specific query to both the parties whether the meter is

freely open for reading purpose or remain inside the lock. Applicant argued that it is freely accessible for reading purpose. However, applicant added that employee of SNDL or its representative who used to attend meter for reading purpose was in fact handicapped person and the meter was installed at big height. Therefore that handicapped employee of SNDL was physically unable to reach up to the meter which was installed at sufficient height and therefore specific noting is taken in CPL that meter is Inaccessible or RNT. The applicant further admitted in clear terms that the said handicapped employee requested the applicant to install the meter at a normal height so that he can take reading perfectly and on his request applicant has installed the meter at a normal height and since then bills are issued as per the reading and status of meter is normal. It appears that as the meter was installed at big height and as handicapped employee could not reach up to that height for reading of the meter and therefore in many months noting is taken "Inaccessible" and "RNT".

8. When meter was shifted at normal height proper reading was taken but applicant suspect that now the figures of reading are excessive. However, it was cumulative effect of all previous readings of "Inaccessible" and "RNT" status. However, thereafter consumption recorded is divided into entire period appears to be perfectly correct and not excessive.

9. We must mention here that it is the duty of SNDL to appoint physically fit persons to take meter reading and it is the duty of SNDL to record the meter reading correctly as per the said

regulations and to issue monthly bills correctly and not to allow the reading to be accumulated in one month so as to burden the consumer. Likewise it is also the duty of the applicant to take care whether the meter is installed at a reasonable and normal height. It appears that both the parties neglected this important aspect of the matter due to which there was suspicion in the mind of the applicant that accumulated bills appear to be excessive. Considering the connected load of the applicant, in our opinion bills issued to the applicant are perfectly correct. At various times meter is tested and it is found O.K. Therefore there is no need to revise the bills. Order passed by Learned I.G.R.C. is correct and legal and needs no interference. Application deserves to be dismissed. However, it is desirous to issue certain directions to SNDL to take precaution for reading of every month correctly.

10. It is true that as per the regulations, it was incumbent on the part of the Forum to dispose off the matter within 60 days from the date of presentation. However, in spite of speaking order by the Forum about filing of test report on record, meter of the applicant was not tested for a long time and there was delay in submission of testing report on record. Secondly, previously matter was heard by Incharge Chairman Shri Bute & Incharge Member / Secretary Shri Wasnik, but during the pendency of the matter, both of them transferred from this Forum. Shri S.S. Patil, Regular Chairman and Shri A.S. Shrivastava regular Member / Secretary of Forum joined the Forum. Therefore it was necessary to rehear the matter before new members. Accordingly, specific order in writing was passed on Dt. 10.6.2014 and again matter was fixed for hearing on 20.6.2014. At the second time before

new body of the Forum, the matter was reheard and therefore today we are delivering judgement. Due to this reason, Forum could not dispose off the matter within 60 days from the date of presentation.

11. Hence following order : -

ORDER

- 1) Grievance application is partly allowed.
- 2) Claim of the applicant to revise the bill is hereby dismissed.
- 3) However, SNDL is hereby directed to appoint physically fit person for meter reading and to take the meter reading every month invariably and to issue bills as per reading and not to allow to accumulate reading in future.
- 4) SNDL is directed to comply within 30 days from the date of this order.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN