

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 64/2013

Shri Arunkumar Nandanwar
Near Pawar Boarding, Kanhar toli
Gondia
District - Gondia.

Complainant

„VS..

1. Executive Engineer,
MSEDCL,O&M Division,
Gondia.
2. Executive Engineer/Nodal Officer,
I. G. R. C., Circle Office,
MSEDCL,Gondia.

Respondents

Applicant represented by 1) Shri K.S.Parihar, Gondia
Respondents represented by 1) Shri Avinash Shastri, Dy. Exe. Engineer, Gondia.

CORAM:

Shri Vishnu S. Bute, Chairman.
Adv. Gauri D. Chandrayan, Member
Ms. S. B. Chiwande, Member-Secretary.

JUDGEMENT

(Delivered on this 12th day of August, 2013)

2. Shri Arunkumar Nandanwar R/o.Gondia (hereinafter referred to as, the applicant) is a domestic consumer. The applicant alleged that the meter installed at his residence stopped working. He informed to the distribution licensee MSEDCL (hereinafter referred to as, the respondent) many times. Thereafter the respondent gave him a bill on average basis The bill was wrong and excessive. He approached the IGRC Gondia. His application was decided by an order bearing no.SEG/Tech/2344 dated 25-06-2013. Feeling dissatisfied with the order, the applicant presented his application under the provisions contained in Regulation 6.4 of the MERC (CGRF & E.O.) Regulations 2006.

3. A notice was issued to the respondent. The respondent submitted reply under no.EEG/Tech/5117 dated 03-08-2013. The case was fixed for personal hearing on 07-08-2013. Shri K.S.Parihar, authorized representative, represented the applicant. Shri Avinash Shastri, Dy.Executive Engineer, Gondia represented the respondents. Both the parties were heard.

4. Shri K.S.Parihar, contended that the applicant is a domestic consumer. He has a single phase connection. His consumer no. is 430010139648. The electricity meter fixed in the premises of the applicant was stopped. He informed the respondents about this defect by applications filed on 08-05-2008, 12-06-2009, 18-01-2012, 08-11-2012 and 01-03-2013. However the respondents have neither taken any cognizance of the complaints nor changed the defective meter. In the contrary the respondents gave an average bill of six months showing the consumption of 540 units per month. Not only that the respondents initiated coercive action for recovery. They also threatened to disconnect the supply. So the applicant deposited Rs.13000/- on 02-03-2013. The respondents changed the meter on 04-03-2013. Even thereafter the consumption of the applicant was never 540 units per month. From 04-03-2013 to 02-07-2013 the actual consumption of the applicant is 1100 units. So either the respondents should give a bill as per the provisions of Regulation 15.4.1 or at the most they may give bill presuming the consumption @ 275 unit per month. (as per the actual reading after changing the meter.)

5. Shri Avinash Shastri, Dy.Executive Engineer replied that acting upon the directions issued the IGRC the bill has been corrected. The applicant has been given a

bill of three months, presuming his consumption as 540 units per month. The consumption has been decided on the basis of the load factor.

6. We have perused the record. We have heard the arguments advanced by both the parties.

As per the applicant the meter was stopped. He informed the respondents from time to time. The respondents have not denied that they have not received any complaint application. The respondent submitted a copy of the CPL of the applicant. On perusal of the same it reveal the consumption has been shown very less but the meter status is shown a normal. So prima facie the mistake is on the part of the respondents and the applicant can not be held responsible for it.

There is a clear provision under Regulation 15.4.1 for billing in the event of defective meter. It is admitted fact that the meter was defective. It was stopped. The IGRC also ordered to assess the bill as per the provisions of Regulation 15.4.1. However the respondents assessed the bill on the basis of load factor. The respondents have not quoted any provision in support of their action. So assessment @ 540 units per month for three months can not be sustained and deserves to be quashed and set aside.

Under these circumstances we pass the following order,

ORDER

- i) Application No.64 of 2013 is partly allowed.
- ii) The revised bill assessed on the basis of the consumption @ 540 units per month for three months is hereby set aside.

- iii) The respondent shall issue a revised bill as per the provisions contained in Regulation 15.4.1 of the supply code.
- iv) In the facts and circumstances of the case, there shall be no order as to cost.

Sd/-
(Adv.Gauri D.Chandrayan)
MEMBER

Sd/-
(Ms.S.B.Chiwande)
MEMBER SECRETARY

Sd/-
(Vishnu S. Bute)
CHAIRMAN

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR
(Nagpur Dtd.12th day of August, 2013)

**CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.**

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440013

Email.id- cgrfnz@mahadiscom.in
cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 12th August,2013 in Case No.64 / 2013 is enclosed herewith.

Member-Secy/ Exe.Engineer,
C.G.R.F.(NZ)MSEDCL
N A G P U R

To,
Shri Arunkumar Nandanwar. Near Pawar Boarding, Kanhar Toli, Gondia
Copy s.w.r.to :-
1. The Chief Engineer(NZ), MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.

Copy f.w.cs.to:

1. The Executive Engineer/Nodal Officer., O&M Circle Office, MSEDCL.Gondia
2. The Executive Engineer,C.C.O&M Dn., MSEDCL, Gondia
for information and necessary action.

Address of the Electricity Ombudsman is given as below.

Office of - The Electricity Ombudsman,
12, Srikrupa, Vijay Nagar,
Chhaoni, Nagpur-440 013
0712-2596670