

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

Case No. CGRF(NUZ)/79/2012

Applicant : Shri Vinod Ruplal Vyas,
At Nai Basti, Sweeper Colony,
NAGPUR.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
M.S.E.D.C.L. NAGPUR.

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

2) Adv. Subhash Jichkar,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER PASSED ON 25.3.2013.

1. This matter is remanded back as per order of Hon'ble Electricity Ombudsman Nagpur in Representation No. 101/12 decided on 16.1.2013 and order of remanding the case received before this Forum on 2.2.2013. Therefore we are deciding it as per directions given in said order in accordance with law.

2. At the time of first round of litigation the applicant filed present grievance application before this Forum on 27.7.2012 under

Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

3. The applicant's case in brief is that there is problem in electricity bill for the month of January 2010. The applicant applied for revision of his bill on 12.10.2011 but up till now bill of January 2010 is not revised. Therefore requested to revise this bill and claim compensation of Rs. 5000/-.

4. M/s. SPANCO franchisee of distribution licensee denied applicant's case by filing reply Dt. 17.8.2012. It is submitted that bills as per meter reading are issued to the applicant. Account books of the applicant (CPL) shows that till May 2009 bills are issued as per actual meter reading. In June 2009 meter reading was 12211. In May 2011 also the meter reading was same. During the period of June 2009 to May 2011, average bill of 76 units per month were given to the applicant. Initial reading was shows '1' & average bill of 100 units was issued. In July 2011 meter reading was shows as 11352 and bill of 26 months of 11351 units was issued. Out of which amount of Rs. 6496.79 of average bill was deducted and bill for 65480.14 was issued. Since then applicant stopped making the payment. Thereafter the applicant paid Rs. 1000/- on 25.11.2011, Rs. 5000/- on 22.2.2012. Since then till July 2012 the applicant did not pay any amount. Amount of Rs. 87330/- is due and outstanding against the applicant.

5. It is further submitted that after installation of new meter on the site of the applicant consumption of the applicant per month was as under :-

1)	August 2011	-	386 units
2)	September 2011	-	278 units
3)	October 2011	-	466 units
4)	November 2011	-	239 units
5)	December 2011	-	544 units
6)	January 2012	-	250 units
7)	February 2012	-	275 units
8)	March 2012	-	273 units
9)	April 2012	-	513 units
10)	May 2012	-	489 units
11)	June 2012	-	510 units
12)	July 2012	-	442 units

	Total	-	4665 units

Therefore consumption of the applicant was 381 units per month.

6. Reading of July 2011 was not available and therefore initial reading was taken as '1' and average bill of 26 months for 11351 units as per consumption pattern was issued and it is correct.

7. Forum decided the matter as per order Dt. 17.9.2012 and thereby dismissed the grievance application. Being aggrieved by the said order applicant filed representation before Hon'ble Electricity Ombudsman Nagpur being representation No. 101/12 decided on 16.1.2013. As per this order of Hon'ble Electricity Ombudsman Nagpur, order of Forum Dt. 17.9.2012 is quashed and set aside and matter is remanded back to the Forum for deciding the grievance on merit. This order of remand received to this Forum on 2.2.2013

therefore from that date we are deciding the matter within 2 months. Notices were issued to both the parties and matter was fixed final hearing on 5.3.2013 at 13.40 P.M.

8. On the date of hearing Dt. 5.3.2013 the applicant and his representative, both were absent though called at several times. Officers of non applicant were present. Arguments of non applicant is heard and case is closed for order.

9. Forum perused the record carefully.

10. There is nothing on record to show that meter is faulty. It is not the contention of the applicant anywhere in the application that the meter is faulty. According to non applicant also meter is not faulty. There is nothing on record to show that at any time applicant filed an application to non applicant requesting to test the meter either by acucheck or in the laboratory. Therefore considering the entire record, it is crystal clear that according to both the parties meter is not faulty. It is true that in some months, it is shown in CPL that "Reading Not Available". However, merely because there is noting of "Reading Not Available" it can not be said that meter is faulty. The meaning of "Reading Not Available" means there was no display of the reading available at the time of recording the consumption. However, it does not mean that meter is faulty. As the meter is working properly, therefore it is clear that consumption shown in CPL is the consumption of electrical energy consumed by the applicant. Therefore in our opinion there is no necessity for revision of bill as prayed by the applicant.

11. The applicant claimed Rs. 500/- compensation and also claimed action against the faulty officers. However, there was no negligence or fault on the part of officers of non applicant. Therefore applicant is not entitled to claim any compensation. Considering the merits of the mater we find no force in the present grievance application and the application deserves to be dismissed. Resultantly Forum proceeds to pass the following order :-

ORDER

- 1) The Grievance application is dismissed.

Sd/-
(Smt.K.K.Gharat)
MEMBER
SECRETARY

Sd/-
(Adv.Subhash Jichkar)
MEMBER

Sd/-
(ShriShivajirao S.Patil)
CHAIRMAN