

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

Case No. CGRF(NZ)/66/2016

Applicant : Shri Samuel T. Payyanath
Yeshwant Nagar
Tq. Hinganghat,
Dist. Wardha.

Non-applicant : Nodal Officer,
The Executive Engineer,
O&M Division, MSEDCL,
Hinganghat.

Applicant's Representative :- Shri Betal,

Respondent by:- 1) Shri Nitnaware, E.E., Hinganghat Dn.
2) Shri Madame, Dy.E.E., Hinganghat (U) S/Dn.

Quorum Present

1) Mrs. V.N. Parihar
MEMBER/SECRETARY
& I/C. CHAIRMAN

2) Shri N.V. Bansod,
Member

ORDER PASSED ON 13.06.2016.

1. The applicant filed present grievance application before this Forum on 18.05.2016 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Non applicant, denied applicant's case by filing reply dated 30.05.2016.

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

4. According to an applicant, he filed an application as well as deposited Rs.150 on 19-10-2013 for testing of faulty meter as it was recording excessive reading and requested to revise the bills as per meter testing report

5. Applicant said he submitted the applications for meter testing on 11-09-2013, 20-11-2013 and on 18-02-2014 but no action was taken by the non-applicant. Applicant said in the absence of his family members at his residence old meter was replaced and new meter was installed in the month of April/May-2013. Applicant said he was not having any complaint about old meter but new meter is moving very fast. Applicant requested Assistant Engineer Mr.Madame who did not take cognizance and meter testing report was not provided to him till today. Applicant demanded that order for meter testing be passed and non-applicant be penalized under section 12.1 SOP and also requested to conduct departmental enquiry against erring Engineer.

6. Non-applicant in its reply stated that, in the month of December-2013 after spot inspection, meter was tested by Accu-check and found that meter is O.K. However there was fault in electric fitting of the applicant. This fact was brought to the notice of the applicant and denied all other contention of the applicant. Non-applicant said as per meter reading bills were issued.

7. During the hearing it was brought to the notice of the forum that non-applicant further replied that as per applicants request on payment of fee in the month of Oct on date 19-10-2013, meter was tested in the month of December-2013 but non-applicant failed to mention any specific date of testing as well as failed to submit the testing report before the forum as well as to the applicant. As per Clause 14.4 of Regulations 2005 (MERC Electricity Supply Code & other condition of supply) i.e. regarding "testing

and maintenance of meters” as such entire responsibility is fixed on non-applicant but non-applicant totally failed to Act as per the Regulation, which is gross negligence on the part of the non-applicant. An applicant files application for meter testing on date 19-10-2013 whereas actual testing was carried out in the month December-2013. It was necessary to test the meter within 12 days i.e. on or before 31-10-2013 in Rural areas as per clause 4(i) stated in MERC (SOP) Regulation 2014 reads as under,

4 (i) *“Meter inspection in case of customer complaint regarding meters, Twelve (12) days (Rural Areas), Rs.50 per week or part thereof of delay.”*

The cause of action has arisen for meter testing on 23-09-2013. According to Regulation 6.6 of MERC Regulation (CGRF & EO) Regulation 2006 reads as under,

“The forum shall not admit any Grievance unless it is filed within two (2) years from the date on which the cause of action has arisen.”

Therefore it was necessary to file grievance on or before 23-09-2015 for compensation about delay in meter testing. As applicant filed the grievance on date 11-09-2015 before the IGRC, it is not barred by limitation and hence accepted by the forum. Hence non-applicant is liable to pay SOP compensation from 01-11-2013 till the date of meter testing in MTL of MSEDCL and providing the report to the applicant @ Rs.50/- per week or part thereof of delay and the bills be revised as per test report from the date of application and recover the same from the erring officers.

8. Non-applicant said that electric fitting/wiring in the house of the applicant is faulty but non-applicant did not filed any report to that effect as well as did not inform the applicant, that the real cause of fault is in electric fitting or wiring of his house.

Hence the contention of the non-applicant in the absence of any documentary evidence is baseless and rejected by the forum. Forum also rejected the contention as well as order of the IGRC which is passed without verification of the evidence.

11. Hence this order.

ORDER

- 1) Grievance application is partly allowed.
- 2) Non applicant is directed to test the electric meter of the applicant in MTL of MSEDCL in presence of the applicant and provide the copy of meter testing report to the applicant and revise the bills as per test report from the date 19-10-2013.
- 3) Non-applicant is directed to pay SOP compensation for not testing the electric meter from 18-11-2013 till date of providing the copy of the meter testing report to the applicant @ Rs.50/- per week or part thereof in delay by cash or cheque.
- 4) Non-applicant is directed to comply within 30 days from the date of this order.
- 5) No order as to cost.

Sd/-
(**Shri.N.V.Bansod**)
MEMBER

sd/-
(**Mrs.V.N.Parihar**),
MEMBER/SECRETARY
& I/C. CHAIRMAN