

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

Case No. CGRF(NZ)/70/2016

Applicant : Shri .Ramchandra Ladikar,
Ladikar Trust,Rammandir,
Ladikar Lay-out,Manewada Road,Nagpur-24

Non-applicant : Nodal Officer,
The Superintending Engineer,
(D/F.) NUC,MSEDCL,
NAGPUR.

Applicant :- In person.

Respondent by 1) Shri Larokar, Nodal Office.
2. Shri Gotamare,Nodal office.
3) Shri Dahasahastra, SNDL Nagpur.

Quorum Present : 1) Mrs. V.N.Parihar,
Member, Secretary
& I/C.Chairman.

2) Shri N.V.Bansod,
Member

ORDER PASSED ON 04.07.2016.

1. The applicant filed present grievance application before this Forum on 26.05.2016 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 13.06.2016.
3. Forum heard arguments of both the sides on dt.15-06-2016 and perused record.
4. According to the applicant since 1984, even though temple does not have any commercial activity, the said Temple is getting energy bills as per commercial tariff.

The programmes conducted in the temple are mainly social, spiritual and in the interest of common public. Remuneration obtained in the form of donation is being utilized for maintenance of Temple only.

5. According to them, as per testing report dt.26/10/2015 of their meter, the meter is faulty since the date of installation. Due to this faulty meter, they are unnecessarily penalized by charging every month 5 to 10 times more units in their energy bills.

6. According to them, they have approached IGRC but could not get necessary relief.

7. In view of aforesaid facts, Applicant prayed,

1. To revise their Energy bills, since the date of installation of the faulty meter as per Residential tariff only.
2. Their energy bills since 1984 are to be revised considering Residential tariff.
3. They may be given separate meter for the First and second floor of the temple.

8. Non-applicant in their reply dated 13-06-2016 stated that, single phase electric supply has been released from dt.15-12-1984, to this applicant bearing consumer No.410011576960, for commercial purpose, at Ram-Mandir, Ladikar Layout, Manewada Road, Nagpur-440017. It is true that, as per MERC Tariff order, Residential Tariff is applicable to Temple. But in the said temple, on payment of remuneration, activities such as Marriages and Birthday programmes, are regularly held at the first and the second floor of the temple. Such activities are termed as a commercial activity, hence, being a commercial category consumer, applicant has been charged as per commercial Tariff.

9. Non applicant further stated that, as per IGRC order dt.30-09-2015, staff of non-applicant tried to take out meter for testing, but could not do so, as applicant did not allow them to remove the meter.

10. In their further submission, Non-applicant submitted that, as per Accucheck Testing report dt.26/10/2015,it was recommended to test the meter in the laboratory. As without proper testing, meter cannot be declared as faulty. But on dt. 26/10/2015, applicant did not allow removing the meter for testing in the SNDL laboratory. Hence contention of applicant that, the meter is faulty since the date of installation is totally incorrect.

11. Therefore Non-applicant prayed to forum to pass an order giving directives to the applicant to pay Energy Bill for the Month of May-2016 amounting Rs.61018.62 inclusive of outstanding arrears of Rs.50612.35.

12. During the hearing, it was observed by the forum that, meter needs testing. Hence, forum ordered the non-applicant to Test the meter in MSEDCL laboratory. Accordingly, the existing meter bearing no. 04000876 is replaced and Tested in MSEDCL laboratory. As per Testing report dt.28-06-2016, Meter errors are within limit and found OK. Hence on the basis of this report, it is clear that, as meter is not faulty, energy bills issued so far are in order and revision is not needed. Therefore, applicant's prayer to revise their Energy bills, since the date of installation of the faulty meter as per Residential tariff is rejected.

13. As per non-applicant's submission during the hearing, on payment of remuneration, activities such as the marriage ceremony and the Birthday celebration ceremony are regularly held at the first and the second floor of the temple. This fact is also accepted by Applicant. Hence forum is of the view that, as such activities are termed as commercial activities, applicant's billing as per existing Commercial Tariff is justified. Therefore Applicant's prayer to revise their energy bills since 1984 considering Residential tariff stands rejected.

14. However, for the separation of the tariff, during the hearing, Non-applicant Consented to accept, Applicant's request for separate meter in addition to the existing meter for Temple and its premises, for residential category.

15. Hence the following order.

ORDER

- 1) Grievance application is partly allowed.
- 2) Applicant shall apply for separate meter in addition to the existing meter for Temple and its premises, for residential category.
- 3) Non-applicant shall release the connection to the additional meter for Temple and its premises, for residential category after observing legal formalities within 30 days after receipt of the requisite applications and completion of formalities as per rules and regulations.
- 4) Applicant shall pay the regular bill along with outstanding arrears within stipulated period.
- 5) No order as to cost.

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

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

