

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

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**Case No. CGRF(NUZ)/194/2014**

Applicant : Shri Janardan N.Bajirao,  
Thr:- Shri Sanjay J. Bajirao,  
Sindhu Dharmashala,  
Gandhibagh,  
Nagpur.

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

Quorum Present : 1) Shri Shivajirao S. Patil,  
Chairman.  
  
2) Adv. Subhash Jichkar  
Member.  
  
3) Shri Anil Shrivastava,  
Member / Secretary.

**ORDER PASSED ON 7.10.2014.**

1. The applicant filed present grievance application before this Forum on 12.8.2014 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 there is excessive bill of June 2014 and it may be revised. I.G.R.C. rejected his grievance application. Therefore he approached to this Forum.

3. Non applicant denied applicant's case by filing reply dated 23.8.2014. Meter is tested in meter testing laboratory on 23.7.2014 and it is found O.K. Grievance application may be dismissed.

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

5. It is noteworthy that during the course of hearing SNDL produced certain important documents on record which show that on 29.10.2013 the applicant was caught red-handed while committing theft of electricity. Applicant had installed power full magnet admeasuring 2" x 2" on the meter due to which recording was stopped & figuring of the meter can not change. Detail spot Panchanama Dt. 29.10.2013 was prepared and it is duly signed by the applicant that too, in English in presence of 2 panchas. There was seizure of the instruments under the provisions of Section 135 & 138 of Electricity Act 2003. Seizure Panchanama is duly signed by the applicant and panchas. There is also another spot inspection report in English alongwith map of the spot. Assessment of theft of electricity u/s 135 &138 of Electricity Act 2003 was prepared for Rs. 33118/-, copy of which is placed on record.

6. Spot Panchanama Dt. 29.10.2013 written in Marathi shows that house of the applicant is three storied building. On ground floor

there is liquor shop of the applicant. Video shooting and photos of the entire action were taken.

7. However, there is nothing on record to show whether any criminal case u/s 135 & 138 of Electricity Act 2003 is filed before competent court. We fail to understand and even it is very strange as to why SNDL did not file any criminal proceedings in spite of happening of such serious incidence. There is prima facie case u/s 135 & 138 of Electricity Act 2003 and therefore according to regulation 6.8(b) of the said regulations, this Forum has no jurisdiction to entertain the grievance.

8. Several entries in CPL show that due to this theft there was very less reading in that relevant period. In October 2012, reading was 12 units only, in November 2012 – 81 units, December 2012 – 85 units, January 2013 – 29 units, October 2013 53 units. The theft is detected on 29.10.2013 and thereafter meter started recording normal reading.

9. Even if for the sake of arguments, it is presumed that grievance of the applicant is for the consumption of June 2014, i.e. after the incidence of alleged theft of electricity and hence Forum has jurisdiction. In that angle also we have verified entire record specially after 29.10.2013. Reading after 29.10.2013 appears to be reasonable considering heavy connected load. It is true that in the month of June 2014 reading is 1566 units but it is the reading of 2 months. Further more, in May 2014 status of the meter was RNT (Reading Not Taken) and average billing of 254 units was calculated. Therefore in June 2014 after accurate reading of 2 months, it is shown as 1566 units. Likewise, credit

of Rs. 1473.71 is given to the applicant in June 2014. Therefore this bill is not excessive. In July 2014, reading is 999 units but it is also reading of 1.17 months and in this month meter is also changed.

10. Record shows that applicant is such consumer who can go to any extent of committing theft of electricity by installing magnets on electric meter. Therefore he can do anything. Considering connected load, in our opinion, there is no scope of revision of bill and grievance application deserves to be dismissed. Hence following order: -

#### ORDER

- 1) Grievance application is dismissed.

Sd/-  
(Anil Shrivastava)  
MEMBER  
SECRETARY

Sd/-  
(Adv. Subhash Jichkar)  
MEMBER

Sd/-  
(Shivajirao S. Patil),  
CHAIRMAN