

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

Case No. CGRF(NUZ)/083/2015

Applicant : Shri Abhimanyu B. Chawla,
557-A, New Colony,
Nagpur : 400 001.

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

Applicant :- In person.

Respondent by 1) Shri Rody, Nodal Office.
2) Shri Dahasahastra, SNDL Nagpur.

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

2) Adv. Subhash Jichkar
Member.

3) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 11.6.2015.

1. The applicant filed present grievance application before this Forum on 23.4.2015 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. Applicant's case in brief is that bill of August 2014 for 3500 for 7 months was excessive. Average charged against faulty meter is excessive and therefore requested for revision of bill of August 2014. Being aggrieved by the order passed by I.G.R.C. he approached to this Forum.

3. Non applicant denied applicant's case by filing reply Dated 30.4.2015. It is submitted that Learned I.G.R.C. had passed order Dt. 27.3.2015 and non applicant is going to implement the said order.

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

5. As per CPL, bills from February 2014 to July 2014 were issued on average basis with "Inaccessible" meter status as there was no display on the meter and bills for August 2014 was issued for 3500 units for 7 months with "Faulty" meter status and previous average bills are credited. Bill for August 2014 is issued with monthly average of 500 units. Learned I.G.R.C. held that according to regulation 15.4.1 (2nd proviso) of MERC (Supply Code Regulations) 2005, such average comes out to be 400 units per month and therefore bill of August 2014 needs revision. Commercial Manager is directed by Learned I.G.R.C. to revise the bill of August 2014 for 2800 units (For 7 months) and give credit of balance units $3500 - 2800 = 700$ units, along with credit of DPC / interest in ensuing bill of the applicant.

6. In our opinion, provisions of regulation 15.4.1 (2nd proviso) of MERC (Supply Code Regulations) 2005 are applicable to this case. Simply, non applicant has to calculate the figures while revision of bill correctly and thereafter to revise the bill of applicant as per the said proviso.

7. In grievance application before this Forum applicant also claimed compensation for mental, physical and economical harassment so also compensation for illegal disconnection. However, all these reliefs are not claimed by the applicant in his application before Learned I.G.R.C. and therefore direct claim for compensation before this Forum is untenable at law without following the procedure laid down under regulation 6.2 of the said regulations.

8. Applicant argued before the Forum that on 28.4.2015 at 12.00 P.M., there was disconnection and meter was removed and again meter was installed and electricity connection was reconnected on 28.4.2015 at 11.00 P.M. during night. But while reconnecting, 'R' phase and neutral were changed by the employees of non applicant and hence his equipments were burnt. Later on, employees of non applicant connected 'R' phase & neutral properly, but he sustained loss and therefore compensation is claimed. However, all these ground are totally new grounds alleged to have occurred after passing or order by Learned I.G.R.C. If applicant desires to claim any relief against 1) illegal disconnection 2) erroneous joining of 'R' phase & neutral, 3) burning of equipments & 4) awarding of compensation, in such circumstances, first applicant has to approach to Learned I.G.R.C. under regulation 6.2 of the said regulations and if his grievance is not redressed then

only he can approach to this Forum under regulations 6.4 of the said regulations. Direct claim of compensation to this Forum without approaching I.G.R.C. is untenable at law & therefore can not be granted.

9. Hence Forum proceeds to pass following order :-

ORDER

- 1) Grievance application is partly allowed.
- 2) Non applicant is hereby directed to revise the bill of the applicant correctly and accurately by proper calculation according to regulation 15.4.1 of MERC(Supply Code) Regulations 2005.
- 3) Applicant is at liberty to approach to I.G.R.C. to claim compensation and if his grievance is not redressed he is at liberty to approach this Forum and in that eventuality this Forum shall decide the matter independently, without being influenced by the reasons and findings given by this Forum in this order.
- 4) Compliance should be reported within 30 days.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN