

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

Case No. CGRF(NUZ)/96/2013

Applicant : Late Shri Abdul A. Qureshi,
Thr:- Mohammad Jahangir Qureshi,
Plot No. 322 near Masjid,
Gaddigudam,
NAGPUR.

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

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

2) Shri B.A. Wasnik,
Member Secretary.

ORDER PASSED ON 18.7.2013.

1. The applicant filed present grievance application before this Forum on 12.6.2013 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 applicants' case in brief is that the applicant is a consumer having Consumer No. 410012233675. Due to faulty meter, average bills are given to the applicant for the month of

December 2011. Therefore applicant claimed to revised average bills of faulty meter.

3. Non applicant M/s. SPANCO denied applicant's case by filing reply Dt. 4.7.2013. It is submitted that during the period July 2012 to November 2012, status of the meter was shown faulty and average bills of 559 units per month were issued. The applicant complained about fastness of the meter on 28.4.2012. Meter was tested on 7.6.2012 and it was found O.K. Again the applicant applied for testing of the meter on 4.8.2012. Meter was tested on 26.10.2012 and it is found that meter is faulty. On 29.11.2012, faulty meter was changed and new meter is installed. The applicant applied to Learned I.G.R.C. Learned I.G.R.C. passed order according to MERC Supply Code Regulation 15.4.1. Therefore as per order of Learned I.G.R.C. amount of Rs. 12,774.58 is deducted from the bill of January 2013 and hence there is no need to further revision. Bill for June 2013 is amounting to Rs. 25,769.11 including the arrears of Rs. 22,747.12.

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

5. It is admitted in reply of M/s. SPANCO that as per request of the applicant meter was retested on 26.10.2012 and it was found faulty. Therefore it is clear that average bills of faulty meter previously issued by non applicant need to be revised. Considering facts and circumstances of the case, evidence on record, it is crystal clear that provisions of regulation 15.4.1 of MERC (Electricity Supply Code & Other Conditions of Supply)

Regulation 2005 are applicable to this case. Therefore as per 2nd proviso to regulation 15.4.1 of MERC's Supply Code Regulations 2005, "In a case when the meter stopped recording consumption, the average to be charged for such period should be based on the average metered consumption for 12 months immediately preceding the 3 months prior to the month in which the billing is contemplated". In the light of the said provisions, in this case monthly average consumption comes out to be 224 as against the average of 559 units already charged by the non applicant. Therefore applicant deserves the monthly credit of $559 - 224 = 335$ units from the billing month of July 2012 to October 2012. Thus the total credit to be given to the applicant shall be $335 \times 4 = 1340$ units. As per this calculation, it is necessary to revise relevant bills of the applicant.

6. We have carefully perused the order passed by Learned I.G.R.C. It is perfectly correct, legal and valid, therefore needs no interference.

7. For these reasons, Forum proceeds to pass following order :-

ORDER

- 1) Grievance application is partly allowed.
- 2) Non applicant is hereby directed to revise the disputed bills of the applicant according to 2nd proviso of Regulation 15.4.1 of MERC (Electricity

Supply Code and Other Conditions of Supply) Regulations 2005 and to revise the bills accordingly.

- 3) Non applicant is hereby directed to comply the order within 30 days from the date of receipt of this order.

Sd/-
(Shri B.A. Wasnik)
MEMBER
SECRETARY

Sd/-
(Shri Shivajirao S.Patil)
CHAIRMAN