

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

Case No. CGRF(NUZ)/137/2015

Applicant : Shri Firoz Yusuf Ali,
Qutbi Colony,
Shantinagar,
Nagpur : 400 002.

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 19.10.2015.

1. The applicant filed present grievance application before this Forum on 28.8.2015 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 he received excessive bills. Being aggrieved by the order passed by I.G.R.C. Dt. 22.8.2015 he approached to this Forum.

3. Non applicant denied applicant's case by filing reply Dated 9.9.2015. It is submitted that meter is tested in the laboratory of SNDL and it is found O.K. Therefore bill can not be revised. Grievance application deserves to be dismissed.

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

5. There is heavy consumption of the applicant. There are 7 fans, 5 tube lights, 2 T.Vs., 2 set top boxes, 1 freeze, 1 motor pump, 1 mixer, 4 A.Cs., 2 geezers, 1 washing machine. In spot inspection report, it appears that attempt is made to suppress the connected load. Applicant admitted before the Forum that there are 15 CFL, 3 TVs, 3 set top boxes and 4 A.Cs. Therefore it is true that spot inspection report is suspicious.

6. As per order Dt. 11.9.2015, it was directed to SNDL to produce MRI data and meter photos on record. SNDL produced only

meter photos. There is overwriting by pen in some of the photos, MRI data is not produced by SNDL and it was informed to the Forum orally that meter is not available and it is thrown in scrap. Therefore no other alternative is left before the Forum than to hold that it is a faulty meter. Therefore as per provisions of regulation 15.4.1 (2nd proviso) of MERC (Electricity Supply Code and Other Conditions of Supply) Regulation 2005, it is necessary to revise the bill of the applicant for June 2015 and July 2015.

7. Before reaching to the final order, we must make it clear that on the date of filing of the grievance application and even on the date of hearing of the grievance application, Shri A.S. Shrivastava, Executive Engineer, then Member/Secretary of the Forum was present. Hearing was concluded on 11.9.2015. But on 30.9.2015, Shri A.S. Shrivastava, then Member/Secretary of the Forum is retired from service. Till retirement of Shri A.S. Shrivastava, matter was not discussed for voting under regulation 8.1 of the said regulations. Today, on Dt. 19.10.2015, there was discussion about voting between Chairman and Shri Jichkar, Member of the Forum, and at the time of this voting Shri A.S. Shrivastava can not remain present because he is already retired on 30.9.2015. Therefore at the time of deciding the matter, Forum was only 1) Chairman and 2) Shri Jichkar, Member. Hence the order is signed by both of them. Hence following order :-

ORDER

- 1) Grievance application is allowed.
- 2) Non applicant is hereby directed to revise the bill of the applicant for the month of June 2015 and July 2015 as per regulation 15.4.1 (2nd proviso) of MERC (Electricity Supply Code and Other Conditions of Supply) Regulation 2005.
- 3) Compliance should be reported within 30 days from the date of this order.

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN