

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

Case No. CGRF(NUZ)/138/2015

Applicant : Shri Santosh L. Dipani,
5/A, Dayanand Nagar,
Jaripatka,
Nagpur : 400 017.

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

Applicant :- Shri Nabi Ahmad.

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 amount of Rs. 46,646.78 is charged in the bill of the applicant for July 2015 against less consumption for the month of February 2015 to March 2015. Therefore applicant filed grievance application to I.G.R.C. Being aggrieved by the order passed by I.G.R.C. applicant approached to this Forum.

3. Non applicant denied applicant's case by filing reply Dated 9.9.2015. It is submitted that average consumption of the applicant was 1100 units but in the month of February 2015, March 2015 and April 2015 bills are issued for '0', '01', '05' units respectively. When the meter is inspected, it is found that it was electromagnetic old meter since prior to 10 years. It was not working and average consumption per month was showing '0' units to '5' units in place of average consumption 1100. This faulty meter is replaced on 13.5.2015 and deposited in scrap. Consumption of the applicant for preceding 12 months was 1179 units per month and therefore it is necessary to have consumption of 4716 units but bill of only 544 units was issued. Therefore bill of adjustment unit $(4716 - 544) = 4172$ units amounting to Rs. 46646.78 is adjusted and shown in the bill of July 2015 as per regulation 15.4.1 of MERC (Electricity Supply Code and Other Conditions of Supply) Regulation 2005 and it is proper. Grievance application deserves to be dismissed.

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

5. As per the CPL bill of February 2015, March 2015 and April 2015 are issued for '0', '01' & '5' units respectively as against the monthly average of 1100 units. On inspection, it was found that meter was electromagnetic and quite old i.e. 8 to 10 years old and it was found to be nearly stopped. Considering monthly consumption of '0' to '5' units, as against monthly average of 1100 units, meter was immediately replaced on 13.5.2015 declaring the meter as Faulty (Stopped). Now since old meter was as good as stopped and quite old i.e. 8 to 10 years old, same was scrapped and credited to stores and therefore assessment was charged as per previous 12 months average consumption which comes out to be 1179 units per month. The total assessment comes out to be 4716 units and after deducting already charged units of 544, the net assessed units $(4716 - 544) = 4172$ units for Rs. 46646.78 has been charged in the bill of July 2015. Considering the facts and circumstances of the case, regulation 15.4.1 of MERC (Electricity Supply Code and Other Conditions of Supply) Regulation 2005 specially 2nd proviso is applicable i.e. assessment in case of defective meter can not be applied because in case of stopped meter percentage of error can not be defined.

6. Therefore SNDL had calculated this adjustment amount considering provisions of regulation 15.4.1 of MERC (Electricity Supply Code and Other Conditions of Supply) Regulation 2005. Therefore calculation is perfectly correct. Order passed by Learned

I.G.R.C. is legal and valid and therefore needs no interference. Grievance application deserves to be dismissed.

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 dismissed.

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN