

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

Case No. CGRF(NUZ)/021//2012

Applicant : Late Raghubirchand Sood,
Through Shri Satish R. Sood,
68, Rathor Layout, Anantnagar,
Nagpur.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
Nagpur Urban Zone,
Nagpur.

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

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER PASSED ON 05.03.2012.

The applicant filed this grievance application on 03.03.2012 under Regulation 6.5 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

1. The applicant's case in brief is that electric meter for residential purpose was allotted to the applicant in 1989. Bearing consumer no. 410012078939. Distribution Licensee or MSEDCL i.e. Spanco authorized to M/s. A.T. Associates, Nagpur to implement the drive to move various elements in the electricity supply to reduced losses of power theft and un-authorised Act. On 25.02.2012 representative of M/s. A.T. Associates named Shri S. Lanjewar visited the residence of applicant at odd hours of afternoon for change of electric meter but the ladies present in the house opposed. On the next date, same representative came and demanded illegal monitory demand for not replacing the meter. The applicant refuse. Therefore notice under section 163 (3) of electricity Act 2003 was served on the applicant. Applicant had not requested for change of meter. There is no necessity to replace the meter, therefore notice under section 163 of Electricity Act 2003 is illegal. The non-applicant may disconnect electric supply under garb of said notice. Therefore applicant filed this application and claim relief to quash and set-aside notice under section 163 (1) of Electricity Act, 2003 dated 28.02.2012 and claim to stay said notice during pendency of this application. Applicant also claim compensation of Rs.10,000/- for harassment.
2. Notice was issued to non-applicants and hearing was fixed today on 05.03.2012. The non-applicants no. 1,2,3

appeared before the Forum. Forum heard argument from both the sides and perused the record.

3. Central Electricity Authority (CEA) (Installation and Operation of Meter) Regulation 2006.

Regulation 4 reads under :

Type of meters :-

(1) All interface meters, consumer meters and energy accounting and audit meters shall be of static type.

(2) The meters not complying with these regulations shall be replaced by the licensee on his own or on request of the consumer. The meters may also be replaced as per the regulations or directions of the Appropriate Commission or pursuant to the reforms programme of the Appropriate Government.

4. On behalf the non-applicants it is argued that present meter of the applicant is not completely electronic meter. However, display in this meter is mechanical. Therefore meter of the applicant is electro-mechanical meter. Now as per regulation it is necessary to install fully electronic meter in which data of six months can be store and new meter is advanced digital meter. There is no loss or inconvenience to the applicant due to replacement of old meter.

5. On behalf of applicants it is argued that old meter is not faulty, applicant did not ask to replace the meter and therefore it may not be replaced.

6. After hearing rival argument from both the sides, in the opinion of the Forum, according to Regulation 4 of Central Electricity Authority (Installation and Operation of Meter) Regulation 2006, Spanco or / and MSEDCL is authorized to replace the meter, if the old meter is not complying with these Regulation. In such circumstance, it can be replace by licensee on it's own. There is no necessity that there must be request of consumer. Complete electronic digital meter is in-fact better than the old meter and it is as per Regulation. Therefore there is no loss or inconvenience to the consumer due to replacement. Therefore in the opinion of the Forum, MSEDCL or spanco has right to replace the old meter. Applicant cannot obstruct while replacing the meter and if applicant illegally oppose, MSEDCL / Spanco is entitled to disconnect electric supply of the applicant without any further notice on the basis of notice dated 28.02.2012 under section 163 (3) of the Electricity Act 2003. Therefore notice issued by Spanco dated 28.02.2012 under Section 163 (3) of Electricity Act, 2003 is perfectly legal.

7. For these reason, Forum find no substance and no merits in present grievance application, and application

deserves to be dismissed. Hence, Forum proceed to pass the following order.

ORDER

The grievance application is hereby dismissed.

(Smt.K.K.Gharat) (Adv.Smt.GauriChandrayan) (ShriShivajirao S.Patil)
MEMBER MEMBER CHAIRMAN
SECRETARY