

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

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**Case No. CGRF(NUZ)/024/2008**

- Applicant : Sau. Lilabai Nathuji Shelke  
At Plot No. 32, MIDC Area,  
Hingna Road, Balajinagar,  
NAGPUR.
- Non-applicant : MSEDCL through  
the Nodal Officer-  
Executive Engineer,  
Division No. II, NUZ,  
Nagpur represented by the Assistant  
Engineer Shri Tekade.
- Quorum Present : 1) Shri S.D. Jahagirdar,  
Chairman,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.
- 2) Smt. Gouri Chandrayan,  
Member,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.
- 3) Shri S.J. Bhargawa  
Executive Engineer &  
Member Secretary,  
Consumer Grievance Redressal  
Forum, Nagpur Urban Zone,  
Nagpur.

**ORDER (Passed on 08.05.2008)**

This grievance application is filed on 27.03.2008  
under Regulation 6.4 of the Maharashtra Electricity  
Regulatory Commission (Consumer Grievance Redressal

Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The applicant's complaint is in respect of erroneous and excessive billing done to her during the period from 23.03.2007 to 29.03.2008. She has requested to revise the energy bill amounts considering the applicant's pattern of average consumption during the past period of April to November 2006.

Before approaching this Forum, the applicant had filed complaint applications on 03.08.2007 and 24.08.2007 addressed to the concerned Assistant Engineer of the non-applicant Company on the same subject-matter. However, her grievance was not redressed by the non-applicant and hence, the present grievance application.

The matter was heard on 28.04.2008 and 05.05.2008.

The intimation given to the non-applicant by the applicant as aforesaid in respect of her grievance is deemed to the intimation given to the Internal Grievance Redressal Cell (in short, the Cell) in terms of the said Regulations and as such, the applicant was not required to approach the Cell before coming to this Forum.

The applicant's case was presented by her nominated representative one Shri Praveen Natthuji Shelke while the Assistant Engineer Shri Tekade represented the non-applicant Company.

The applicant's representative contended that erroneous and excessive energy bills were received by the applicant during the period from 23.03.2007 to 29.02.2008 and

that such an excessive and wrong billing came to be done due to meters being faulty. He added that the applicant's meter was changed on two occasions during the aforesaid period of about 11 months because of the defects developed in these meters. It is, therefore, obvious that billing done to the applicant against these two faulty meters was not only erroneous but it was also excessive and hence, the same was unjust, improper and illegal. He prayed that these bills may be revised appropriately. He also invited our attention to the energy bill for the month of May 2007 for 2835 units in particular and strongly contended that this was an improper, unjust and exorbitant billing done to her which was, at no point of time, commensurate with the applicant's pattern of past average consumption per month. He added that the energy bill for Rs.25,030/- issued to the applicant in the month of July 2007 which was also unjust and improper.

The non-applicant has submitted his parawise report dated 25.04.2008 which is on record. It has been stated in this report and also in the oral submissions before us by the Assistant Engineer that energy bill for Rs. 15,691=33 was rightly issued for the billing month of May 2007 as per metered consumption. From June 2007 to November 2007, the applicant was charged at the rate of 691 units per month on an average and the applicant's bills were revised by giving credit of Rs.18,952=93 in the billing month of January 2008 because the applicant's meter was found to be stopped during this period from May / June 2007 to November 2007. The applicant's meter, being meter no. 5264957, was found to be stopped in May 2007 and as such, the same was replaced by

meter no. 1107897 in the month of August 2007. The meter was changed because it was found stopped. The second meter i.e. meter no. 1107897 was also changed in December 2007 by meter no. 1072941 because the previous meter, being meter no. 1107897 was also faulty. The billing done to the applicant from January 2008 to March 2008 against new meter no. 1072941 is according to the metered consumption of the applicant. According to him, the applicant is liable to make payment of arrear amount of Rs.16,147=62 upto the March 2008.

In this case, the point to be decided is whether the billing done to the applicant against meter nos. 526957 and 1107897 during the period from May 2007 to November 2007 was correct or otherwise. It is a matter of record that the applicant's meter, being meter no. 526957, was found to be stopped recording consumption in May 2007. This is also admitted by the non-applicant. This is the reason why the applicant's meter, being meter no. 5264957, was changed in August 2007. The applicant's consumption in May 2007 as reflected in the CPL is 2835 units. When asked, the non-applicant was not in a position to clarify satisfactorily as to how consumption of units as high as 2835 came to be recorded only in one month i.e. the May 2007. The applicant, on his part, has made a strong submission that the energy bill for the month of May 2007 for 2835 units was excessive and improper. A copy of energy bill dated 21.05.2007 for the month of May 2007 for the period from 21.04.2007 to 22.05.2007 for 2835 units reveals that there is a remark of "faulty" appearing in this bill. When asked as to how this remark of "faulty" has

appeared in this energy bill, no plausible explanation was forth-coming from the Assistant Engineer representing the non-applicant Company. The non-applicant ought to have checked the applicant's meter when it was noticed that the meter was showing very high and abnormal consumption in the month of May 2007. This has precisely not been done by the non-applicant. There is, therefore, no alternative before us than to conclude that the energy bill for the month of May 2007 for 2835 units was due to the applicant's meter no. 5264957 being faulty. The non-applicant was also unable to indicate to us as to the dates on which the applicant's two meters in question were actually replaced by the respective new meters.

The Forum observes that the billing done to the applicant prior to May 2007 was as per his metered consumption. The applicant's consumption was 183 units in April 2007, 811 units in March 2007, and 446 units in February 2007. This trend of consumption is seen to be commensurate with the applicant's past average per month consumption even prior to February 2007. Question of revising the applicant's bill prior to May, 2007, therefore, does not arise.

As regards billing done to the applicant from June to November 2007, it is an admitted position that the applicant's meter, being meter no. 5264957, and another meter, being meter no. 1107897 were defective. The non-applicant has himself admitted that the applicant's meter, being meter no. 5264957, was found to be stopped in May 2007 while the same was replaced in August 2007 by meter no.

1107897. The second meter, being meter no. 1107897, installed in August 2007 was also faulty till November 2007. This is evident from the entries in the CPL which show the same current and previous reading of one unit. The non-applicant also admitted before us that this meter, being meter no. 1107897, was faulty. This faulty meter was replaced in December 2007 by meter no. 1072941. In view of this admitted position, it is crystal clear that the billing done to the applicant right from May 2007 upto and inclusive of November 2007 was wrong. It, therefore, follows that the applicant's energy bills from May 2007 to November 2007 for seven months deserve to be revised and in that, the applicant should be charged only for a maximum period of three months (as against seven months for which he is already wrongly charged) in terms of Regulation 15.4 of the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005. The applicant should now be charged for a maximum period of three months based on the average metered consumption for 12 months immediately preceding the month of April 2007 and the applicant's energy bills revised accordingly.

In the light of above, we direct the non-applicant to revise the applicant's energy bills as stated above in terms of Regulation 15.4 as aforesaid for a maximum period of three months. The credit of Rs.18,952=93 already given in the billing month of January 2008 is not adequate and additional admissible credit shall be given to the applicant upon revising the applicant's energy bills as aforesaid.

The applicant's grievance application is thus partly allowed and it stands disposed off in terms of this order.

The non-applicant shall carry out this order and report compliance to this Forum on or before 31.05.2008.

Sd/-	Sd/-	Sd/-
<b>(S.J. Bhargawa)</b>	<b>(Smt. Gauri Chandrayan)</b>	<b>(S.D. Jahagirdar)</b>
Member-Secretary	MEMBER	CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM  
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's  
NAGPUR URBAN ZONE, NAGPUR.**