

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

Case No. CGRF(NUZ)/24/2012

Applicant : Smt. Kaushalya Nandlal Mishra,
Plot No. 38, At Shivanagar,
Godhani Road, Zingabai Takli,
NAGPUR.

Non-applicant : Nodal Officer, (Distribution Franchisee)
The Superintending Engineer,
Nagpur Urban Circle, MSEDCL,
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 19.4.2012.

The applicant filed present grievance application before this Forum on 6.3.2012 under Regulation 6.4 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 the meter of the applicant was faulty during the year 2010. Faulty meter was replaced and new meter was installed on Dt. 10.1.2011, but bill of faulty meter was included in the bill of new meter. Therefore, it is necessary to revise the bill. In spite of application of the applicant, Non applicant did not revise the bill. Therefore she filed present Grievance application.

2. The Non applicant denied applicants case by filing their reply Dt. 21.3.2012. It is submitted that old meter of the applicant was faulty and therefore average bill of 100 units per month were issued. In January 2011, old meter was replaced and new meter was installed. After installation of new meter, the actual consumption of the applicant was noted for the period February 2011 to July 2011. All these consumptions of every month were more than the average consumption bills and therefore average bills was not corrected. The applicant deposited Rs. 750/- - bill of December 10 on 14.1.2011 and thereafter Rs. 3000/- on 12.11.2011, Rs. 3350/- on 7.12.2011 and till January 2012, amount of Rs. 4597.52 is due and outstanding against the applicant and it is correct.

3. Forum heard arguments of both the sides and perused the entire record.

5. It is an admitted fact that old meter of the applicant was faulty and therefore average bills @ 100 units per month were issued till December 2010. In January 2011, new meter was

installed. According to Regulation 15.4.1 of MERC (Electricity Supply Code & other conditions of supply) Regulations 2005, “in case the meter has stopped recording, the consumer will be billed for the period for which the meter has stopped recording, up to maximum period of 3 months based on average metered consumption of 12 months immediately preceding 3 months prior to the month in which the billing is contemplated.

6. Record shows that connection of the applicant is for residential use since 2.10.2005. However, the present Grievance application is filed on Dt. 6.3.2012. Therefore, according to Regulation 6.6 of MERC (CGRF & Electricity Ombudsman) Regulations 2006, there is limitation of 2 years. Therefore, as the application is presented on 6.3.2012, bills of the applicants can be revised which are within limitation period of 2 years i.e. since 6.3.2010. After replacement of the meter in January 2011, first bill of 56 units was issued in February 2011. Therefore, it is necessary to revise the bills of the applicant within limitation period since 6.3.2010 to December 2010 according to Regulation 15.4.1. Hence Forum proceeds to pass the following order :-

ORDER

- 1) Grievance application is partly allowed.
- 2) Bills of the applicant for the period 6.3.2010 to December 2010 shall be revised according to the Regulation 15.4.1 of MERC

(Electricity supply code and other conditions of supply)
Regulation 2005.

3) As the meter has stopped recording, the applicant shall be billed for the period (i.e. March 2010 to December 2010) for which the meter has stopped recording, up to a maximum period of 3 months only based on average metered consumption for 12 months with normal meter status prior to 6.3.2010.

4) Non applicant to revise as per the above said directions and submit the compliance within 30 days from the date of this order.

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