

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

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**Case No. CGRF(NUZ)/050/2008**

- Applicant : Shri Milind K. Deshpande  
At-45, Sindhu Apartment,  
Central Railway Colony,  
Jaiwantnagar,  
NAGPUR.
- Non-applicant : MSEDCL represented by  
the Nodal Officer-  
Executive Engineer,  
Mahal Division, NUZ,  
Nagpur.
- 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 14.10.2008)**

This grievance application is filed on 16.09.2008 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 grievance is in respect of excessive billing for the billing months of March & April 2008 during which, according to him, his meter was defective.

Before approaching this Forum, the applicant had made a complaint on the same subject matter before the non-applicant's officials on 18.04.2008 and 04.07.2008. However, his grievance has not been redressed in terms of the said Regulations. The intimation given to the non-applicant as stated above is deemed to be the intimation given to the Internal Grievance Redressal Cell (in short, the Cell) and as such, the applicant was not required to approach the Cell before coming to this Forum.

The matter was heard on 08.10.2008 and 14.10.2008.

The applicant submitted that billing done to him for the aforesaid two months has been erroneous in as much as it was excessive because of defective meter. He contended that a parallel meter was installed during the period from 21.04.2008 to 28.04.2008 for instant checking and that the data recorded indicated that his meter, being meter no. 4104611, was defective. He could not, however, produce any evidence to that effect. His meter has been changed and a new meter, being meter no. 653465, was installed on 10.05.2008 in place of his old meter. He was informed that the meter testing laboratory of Mahal Division has tested his old meter on 05.06.2008 and it was found

to be Ok. He contended that the testing done on 05.06.2008 was not done in his presence. He stressed that the procedure followed by the non-applicant is not transparent and that his grievance should be redressed appropriately.

The non-applicant on his part has submitted his parawise report on 25.09.2008 which is on record. He has stated in this report that billing done to the applicant was correct and the applicant's meter was also tested in the testing laboratory of Mahal Division on 05.06.2008 and, according to the meter testing result, his old meter was found to be fault-free. He, however, has shown his willingness to get the applicant's meter tested in the applicant's presence once again in the testing laboratory.

Looking to the circumstances of the case, this Forum directed the non-applicant to test the applicant's meter in the testing laboratory of NUZ MSEDCL, Nagpur in the presence of the applicant on 14.10.2008 and submit the testing report before this Forum on 14.10.2008.

Accordingly the applicant's meter in question has been tested in the Testing Division of MSEDCL, NUZ on 14.10.2008 and a copy of the testing report furnished before this Forum during hearing on 14.10.2008. The testing report clearly indicates that the applicant's meter was not only defective but it was also found to be stopped. This also has been admitted by the non-applicant. According to the observations of the Executive Engineer, Testing Division, there may be a mechanical problem in the gear counter of the meter and that in the load test, the initial & final reading was found to be same and also that the quantum of electricity supplied could not be ascertained for test

result. Thus, it is proved that the applicant's meter in question was defective and found stopped and as such, the consumer will have to be billed for the disputed two months period based on the average metered consumption for twelve months immediately preceding March, 2008 in terms of the second proviso to Regulation 15.4.1 of the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005.

This Forum, therefore, directs the non-applicant to revise the applicant's energy bill in question in terms of this order. The non-applicant agreed to set right the matter as directed by this Forum during hearing before 25.10.2008.

The grievance application, therefore, is allowed and it stands disposed of in terms of this order.

The non-applicant shall carry out this order and report compliance to this Forum on or before 31.10.2008.

**(S.J. Bhargawa)**      **(Smt. Gauri Chandrayan)**      **(S.D. Jahagirdar)**  
Member-Secretary      MEMBER      CHAIRMAN  
**CONSUMER GRIEVANCE REDRESSAL FORUM**  
**MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's**  
**NAGPUR URBAN ZONE, NAGPUR.**