

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

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**Case No. CGRF(NUZ)/067/2005**

- Applicant : Shri Namdeo Ramaji Bokade  
Plot No. 4, Vitthalnagar,  
Manewada Ring Road,  
Nagpur.
- Non-Applicant : The Nodal Officer  
Executive Engineer,  
Mahal Division,  
Nagpur representing the MSEDCL.
- Quorum Present : 1) Shri S.D. Jahagirdar, IAS (Retd),  
Chairman,  
Consumer Grievance Redressal Forum,  
Nagpur Urban Zone,  
Nagpur.
- 2) Smt. Gouri Chandrayan,  
Member,  
Consumer Grievance Redressal Forum,  
Nagpur Urban Zone,  
Nagpur.

**ORDER (Passed on 22.11.2005)**

The present grievance application is filed before this Forum on 29.10.2005 as per Regulation 6.3 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2003 here-in-after referred-to-as the said Regulations.

Before filing this grievance application, the applicant had approached the Internal Grievance Redressal Unit under the said Regulations by filing his complaint

application, being application dated 02.09.2005 before this Unit. The Unit replied him in response to his complaint by its letter, being letter number 3521 dated 24.10.2005 informing him that the applicant's energy bill for the period from April 2004 to July, 2005 issued to him on average consumption basis has since been corrected, that a credit of Rs.3882.37 is given to him and further that a net revised bill of Rs.6512.63 has rightly been to issued him.

The applicant is not satisfied with the reply given to him by this Unit. Hence, the present grievance application.

The matter was heard by us on 21.11.2005 on which date both the parties present were heard by us. Documents produced by both of them are also perused and examined by us.

After receipt of the present grievance application, the non-applicant was asked to furnish before this Forum his parawise comments on the applicant's application in terms of Regulations 6.7 & 6.8 of the said Regulations. Accordingly, the non-applicant submitted his parawise remarks dated 11.11.2005 before this Forum. A copy thereof was given to the applicant on 21.11.2005 before the case was taken up for hearing and he was given opportunity to offer his say on this parawise report also.

The grievance of the applicant is in respect of his energy bill issued by the non-applicant pertaining to the billing months of April, 2004 to July, 2005 issued to him on the basis of his average consumption. His say is that his meter, being meter number 89084389, was faulty during this period

and that he had complained to the concerned MSEB Engineer by filing his complaint application, being application dated 04.12.2004 which was duly received by his office. In that, he had mentioned that his meter is faulty and that no readings are reflected by this meter. He requested the concerned Engineer to change this faulty meter, being meter number 89084389. However, according to him, no timely cognizance of his complaint was taken by the concerned official. There-upon, he had approached the Internal Grievance Redressal Unit with a request to sort out his grievance. In response to his complaint application made before this Unit, he was informed that a credit of Rs.3882.37 is given to him and that a net revised bill Rs. 6512.62 is rightly payable by him in respect of the period in question.

He strongly contended that his meter, being meter number 89084389, was faulty and it was changed upon his complaint on 09.07.2005 by installing a new meter, being meter number 1562427. He added that he has been charged erroneously over the period from April, 2004 to July, 2005 on the basis of his average consumption against his faulty meter. He is not satisfied with the credit already given to him. He contended that the excessive bill of Rs. 10237.29 issued to him on 20.10.2005 showing inclusion of arrear amount of Rs. 9587.72 may be revised as per law.

He has produced copies of the following documents in support of his contentions.

- 1) His complaint application dated 02.09.2005 filed by him before the Internal Grievance Redressal Unit as per the said Regulations.
- 2) Letter-cum-reply, being letter number 3521 dated 24.10.2005, issued to him by the Internal Grievance Redressal Unit.
- 3) His energy bill dated 20.10.2005 for the period from 07.08.2005 to 01.10.2005 for a total amount of Rs.10,240/- showing inclusion of arrear amount of Rs. 9587.72.
- 4) His energy bill dated 25.08.2005 for the period from 02.06.2005 to 02.08.2005 for an amount of Rs.10400/- showing inclusion of arrear amount of Rs.8691.67.

He lastly prayed that his grievance in question may be removed.

The non-applicant has stated in his parawise report dated 11.11.2005 that the energy bill of the applicant issued to him on the basis of average consumption for the period from April, 2004 to July, 2005 against the applicant's faulty meter, being meter no. 1562427, was revised considering average consumption shown by the newly installed meter, being meter number 1562427. Accordingly, a credit of Rs.3882.37 was given to the applicant and that a provisional bill amounting to Rs.6516.63 only issued to the applicant on 22.09.2005. According to him, relief is already granted to the applicant and that the same is adequate.

He prayed that the grievance application of the applicant may be rejected since his grievance is already settled by him.

He has produced a copy of the applicant's CPL for the period from July, 2001 upto October, 2005.

We have carefully gone through the record of the case, documents produced on record by both the parties as also all submissions made before us by both of them.

It is an admitted position that the applicant meter, being meter number 89084389, was faulty during the period from April, 2004 to July, 2005. Even the non-applicant has admitted in his parawise report that this meter was faulty. Hence, the non-applicant's action of issuing energy bill to the applicant on the basis of his average consumption for this period is evidently not in tune with the provisions contained in Regulation 15.4 of the MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 here-in-after referred-to-as the Supply Code Regulations.

It has clearly been laid-down in Regulation 15.4.1 of the Supply Code Regulations that amount of the consumer's bill shall be adjusted for a maximum period of three months only in case of a defective meter.

It is therefore evident that excessive bill was issued to the applicant in the instant case against his faulty meter for the period from April, 2004 to July, 2005.

Although the non-applicant has given a credit of Rs.3882.37/- to the applicant against his energy bill of

Rs.10395.05 for the billing month of August, 2005, this relief is not at all adequate.

The applicant, therefore, deserves to be given the benefit of provision contained in Regulation 15.4 of the Supply Code Regulations. In that, the applicant should be charged only for a maximum period of three months prior to the month in which the dispute has arisen. In the present case, the dispute has arisen from the billing month of June, 2004.

The applicant's CPL discloses that his energy consumption was  $(233+62=)295$  units in the billing months of February and April 2004 i.e. over a period of four months against the applicant's meter, being meter number 89084389 when it was quite in order. This yields an average of 74 units per month. The applicant, therefore, deserves to be charged only for  $74 \times 3 = 222$  units at the rate of 74 units per month for three months.

In view of above, it follows that the credit already given to the applicant is not at all adequate and that additional appropriate credit deserves to be given to him as held above.

It is also noted by us that the applicant has already paid amounts of Rs.210=00 and Rs.1500/- respectively on 05.07.2004 and 09.03.2005 during the period from April, 2004 to July, 2005 as revealed by the applicant's Consumer Personal Ledger.

The non-applicant should therefore, work out fresh the applicant's energy bill in terms of observations made by us

above and issue a fresh bill showing appropriate additional amount of credit.

In the result, we accept the applicant's grievance application and direct that the non-applicant should issue a fresh revised bill to the applicant giving appropriate credit to him in terms of the aforementioned observations.

We further, direct the non-applicant to submit compliance report of this order on or before 30.11.2005.

Sd/-  
(Smt. Gouri Chandrayan)  
Member

Sd/-  
(S.D. Jahagirdar)  
CHAIRMAN

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

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