

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

Case No. CGRF(NUZ)/50/2012

Applicant : Dilip Nilkanthrao Nandurkar,
At 21 A, Mhalaginagar,
Ring Road,
NAGPUR.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
M.S.E.D.C.L. 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 18.6.2012.

The applicant filed present grievance application before this Forum on 21.4.2012 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 applicant runs a restaurant named & styled as "Corner Point Restaurant" at Mhalaginagar Nagpur. Meter of this Hotel was in working condition but it was changed in February 2011 and

faulty meter was installed. Bill of 2 ½ month amounting to Rs. 48,000/- was given to the applicant. The applicant applied for replacement of faulty meter and to revise the bill. The applicant was threatened for disconnection and he was compelled to deposit Rs. 30000/-. The applicant deposited Rs. 300/- towards meter testing charges. On 24.8.2011, the applicant submitted another application but no action was taken. Officers of non applicant went to disconnect the supply but at that time they have cut 1 phase out of 3 phases. The applicant complained that one phase is not working. Officers of non applicant told that cable of the applicant is faulty. In this way, harassment was given to the applicant. Again, lineman told that cable is proper and reconnected the supply. Load of 3 Ph. Was on 2 Ph. And therefore meter was running fast. The applicant sustained a loss of Rs. 4100/-. On 30.9.2011, new meter was installed. The applicant was told to deposit the bill of faulty meter for the month of February 2011 to September 2011 and bill was not revised. The applicant totally paid Rs. 1,05,000/- from time to time, but there was no revision of bill amounting to Rs. 1,53,560/-. On 15.6.2011 the applicant applied for replacement of meter. Meter was replaced on 30.9.2011. Up till now no relief is given to the applicant. Therefore, the applicant filed present grievance application and requested to revise the bill.

2. Non applicant denied the case of applicant by filing the reply Dt. 7.5.2012. It is submitted that meter of the applicant was replaced in February 2011 and new meter was

installed. Due to replacement of meter, average bill of March 2011 for 100 units was issued. In May 2011, average bill of 1604 units was given. Credit of necessary amounts were given to the applicant. As per calculation, amount of Rs. 1,16,136.68 was due against the applicant. In the month of July 2011, there was consumption of 4056 units. In August 2011, 2700 units, in September 2011, 3786 units as per meter reading. On 30.9.2011, meter was replaced as per request of the applicant. Bills were issued as per meter reading for the period October 2011 to March 2012. Meter of the applicant was tested by Acucheck and it was found O.K. Therefore, all the bills issued to the applicant are correct and there is no need to revise the same.

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

4. As per order Dt. 25.5.2012, Forum directed to test the meter in laboratory in presence of the applicant and Member/Secretary of the Forum. Accordingly, the meter was tested in the laboratory. Dy. Executive Engineer of Testing Division Nagpur filed meter testing report Dt. 6.6.2012 with a remark that meter is found 7.91 % fast. It means that meter of the applicant is faulty.

5. Therefore, provisions of Regulation 15.4.1 of MERC (Electricity supply code & other conditions of supply) Regulations 2005 are applicable to this case. According to this provision, "*Subject to the provisions of Part XII and Part XIV*

of the Act, in case of defective meter, the amount of the consumer's bill shall be adjusted, for a maximum period of three months prior to the month in which the dispute has arisen, in accordance with the results of the test taken, subject to furnishing the test report of the meter along with the assessed bill". Therefore grievance application of the applicant must be allowed. According to the applicant, his meter was working properly but it was changed in February 2011 and faulty meter was installed. Therefore February 2011 is important period since when the meter is faulty. Resultantly, Forum proceeds to pass following order :-

ORDER

- 1) Grievance application is partly allowed
- 2) Non applicant is hereby directed to revise the bill of the applicant with respect to faulty meter for the period March 2011 to September 2011.
- 3) Consumer shall be billed for March 2011 to September 2011 up to a maximum period of 3 months only, as per results of meter testing, observing supply code regulation 15.4.1.
- 4) Non-applicant should comply the above order within 30 days from the date of order.

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