

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

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**Case No. CGRF(NUZ)/171/2014**

Applicant : Shri Noor Mohd. Abid Hussain,  
Plot No. 22, R.K.Layout, Wanjara,  
Nagpur.

Non-applicant : Nodal Officer,  
The Superintending Engineer,  
(Distribution Franchisee),  
MSEDCL, N.U.C.,  
NAGPUR.

Quorum Present : 1) Shri Shivajirao S. Patil,  
Chairman.

2) Adv. Subhash Jichkar  
Member.

3) Shri Anil Shrivastava,  
Member / Secretary.

**ORDER PASSED ON 12.8.2014.**

1. The applicant filed present grievance application before this Forum on 14.7.2014 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. The applicant's case in brief is that he is receiving excessive bills. His meter was tested by acucheck and it was required for laboratory testing. Said meter was replaced and it is tested in meter testing laboratory on 3.5.2014 and declared tampered. But his bills were not revised. Therefore he approached to I.G.R.C. Learned

I.G.R.C. passed order dated 24.6.2014. Being aggrieved by the said order the applicant approached to this Forum.

3. Non applicant denied applicant's case by filing reply dated 26.7.2014. It is submitted that meter of the applicant was tested in meter testing laboratory on 3.5.2014 in presence of the applicant and it is found that applicant has tampered the meter and therefore bill can not be revised. Grievance application may be dismissed.

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

5. We have carefully perused meter testing report. It is duly signed by the applicant in English mentioning the date 3.5.2014. It is noteworthy that at the bottom of test report in the column **"Remarks"**, it is specifically mentioned that **"The energy meter referred to this lab for testing and tested on meter testing bench and the same is found to be taking no pulses on load. A hole is observed at back side of the meter. The yellow wire i.e. the potential wire connecting to PCB is found cut. Hence the meter is declared as tampered"**.

6. Therefore as per the lab testing report the meter is found to be defective but reason for defectiveness is mentioned as **"tampering of the meter"**. During the testing in the lab, the hold is observed on the back side of the meter and tampering is found to be done in the side of meter by cutting the potential wire of the circuit

disturbing the functioning of the meter. Therefore in fact, it is a clear cut case of offence punishable under section 135 of Electricity Act 2003. But record shows that SNDL initially could not detect this mischief of the applicant and that may be the reason why criminal action is not taken by SNDL. In fact, applicant should be thankful to SNDL that no police complaint is filed against him u/s 135 of Electricity Act 2003. Meter was inside the house of the applicant and in his custody and therefore it is his responsibility to maintain it. Evidence on record shows that applicant tampered the meter. In such circumstances prima-facie it is the case u/s 135 of Electricity Act 2003 and therefore according to regulation 6.8 (b) of the said regulations, this Forum has no jurisdiction to entertain the matter.

7. Furthermore, as per meter testing report it is a theft case. Connection of the applicant is residential connection. It is noteworthy that spot inspection report shows that applicant is using this residential meter for commercial purposes. It is specifically mentioned in the spot inspection report that there are 12 suing machines. During the course of arguments applicant also admitted that he runs the shop for stitching readymade garments of cloths. Some ladies are working on these stitching machines. They stitch the clothes and thereafter they are using electric iron for pressing these newly prepared clothes. Number of machines are 12. Therefore we can imagine the consumption utilised by the applicant. Utilization of residential connection for commercial purpose is also amounting to theft within the meaning of section 126 of Indian Electricity Act 2003 and therefore according to regulation 6.8 (a) of the said regulations,

this Forum has no jurisdiction to entertain the said grievance application.

8. Furthermore, applicant tampered with the meter and in such circumstances bills can not be revised. Grievance application deserves to be dismissed. Hence following order : -

**ORDER**

- 1) Grievance application is dismissed.

Sd/-  
(Anil Shrivastava)  
MEMBER  
SECRETARY

Sd/-  
(Adv. Subhash Jichkar)  
MEMBER

Sd/-  
(Shivajirao S. Patil),  
CHAIRMAN