

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

Case No. CGRF(NUZ)/082/2010

Applicant : Smt. Kiran Prakash Nalgundwar
At C/o Jagdish Bakshi,
Near Arvikar House,
Sangh Building, Mahal,
NAGPUR.

Non-applicant : MSEDCL
the Nodal Officer-
Executive Engineer,
Mahal Division,
Nagpur.

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

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. K.K. Gharat
Member Secretary,

ORDER (Passed on 21.12.2010)

The applicant Smt. Kiran Prakash Nalgundwar C/o Jagdish Bakshi, Near Arvikar House, Sangh Building, Mahal Nagpur filed the present grievance application on dated 26.10.2010 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.

1. The applicant, Smt. Kiran P. Nalgundwar, user of the electricity connection in the name of Shri. A. N. Baxi, has requested to the concerned office of the non-applicant for erratic bill showing '0' consumption and defective meter replacement vide letter dated 12.08.09 and 23.08.10. But no action was initiated by the non-applicant and in addition to this the non-applicant has issued a bill of Rs. 6265/- on average basis to the applicant in the month of Jul-10. The applicant, being aggrieved by this, has filed the grievance application in the forum on dated 26.10.10 and requested to the forum that...

a. To revise the bill by withdrawing average assessment as the meter has been stopped.

2. According to the applicant, the applicant is a tenant in the house of Shri Jagdish A. Bakshi since last nine years. She has been depositing the rent in the Bank account of landlord Shri. Jagdish A. Bakshi. Also she has been regularly paying electricity and water charges for that premises.

However she has received an electricity bill showing '0' consumption in the month of June 2009. Therefore she has filed an application to the non-applicant for change of the meter. The non-applicant neglected this for the period of one year.

3. After one year in the month of July-2010, her meter was changed an average bill of Rs. 6265/- was sent to her. It is an exorbitant bill. Therefore she has requested for installments to the non-applicant. But her prayer was not considered. Therefore she has filed present grievance application for issuance of appropriate bill.
4. The non-applicant has filed his say and denied case of the applicant. It is submitted that average consumption of the applicant was about 150-200 units per months. Prior to April 2009 applicant deposited these charges without any complaint. Thereafter meter has shown 23 units consumption in May 2009. During the period of June 2009 to June 2010 i.e. a period of 13 months consumption was shown as "00". Therefore in the month of July 2010 old meter was changed and new meter was installed.
5. After installation of new meter in the month of August 2010, the new meter has showed the electricity consumption of 246 units, in September 2010, it was 153 units and in October 2010 it was 169 units. On 09.07.2010 Jr. Engineer of Mahal Distribution Centre inspected the said premises and found connected load as 1.515 kW. As per this connected load, an average consumption of 218.33 units per month was calculated which turns out to be 1310 units for the period January 2010 to June 2010 with amount of Rs.6232.86 and this assessment is proper.

6. The matter was heard in the Forum on dated 16.11.2010. Both the parties were present. On behalf of non-applicant Shri S.P. Waghmare, Executive Engineer, Mahal Division was present.

The applicant, Smt. Kiran P. Nalgundwar, has reiterated the points as mentioned in the grievance application. The disputed exorbitant bill has been arisen only because of delay on non-applicants part to handle the complaint of meter replacement. Therefore this excess bill is not acceptable to her and requested for necessary correction.

The non-applicant has explained his side by stating that the assessed bill is as per the rules and hence needs no correction.

7. Forum heard arguments from both the sides and persuaded the documents on record. It is an admitted fact that in June 2009 meter has shown '0' reading because the meter was stopped. The applicant produced a copy of request application dated 12.08.2009 on record addressed to the non-applicant to change the stopped meter. Therefore it is clear that applicant has brought to the notice of the non-applicant about stoppage of meter on 12.08.2009. In reply of the non-applicant before the Forum it is admitted that the non-applicant has changed the meter in July 2010. Therefore since June 2009 to July, 2010, the non-applicant has not taken any action about stoppage of the meter. Also the non-applicant has failed to clarify the cause of delay during hearing.

8. According to Regulation 14.4.1 of MERC (Electricity Supply Code and Other Condition of Supply) Regulations, 2005...

“The Distribution Licensee shall be responsible for the periodic testing and maintenance of all consumer meters”

But even then the non-applicant did not check the stopped meter for a period of about one year and has issued bills of ‘0’ consumption since Jul-09. Even on making complaint in writing the non-applicant has failed to initiate a proper action for redress of complaint and this is the main reason for arisen of grievance.

9. Also as per Second proviso of Regulation 15.4.1 of MERC (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005.

“Provides that, in case the meter has stopped recording, the consumer will be billed for the period for which the meter has stopped recording, up to a maximum period of three months, based on the average metered consumption for twelve months immediately preceding the three months prior to the month in which the billing is contemplated”.

Therefore, as per this provision the non-applicant has to calculate an average of 12 month immediately preceding

June 2009 for the assessment and this has to be charged for three months only for the period Jul-09 to Jul-10.

10. With this finding Forum proceed to pass the following order...

ORDER

The grievance application is partly allowed.

1. The electricity bill of Rs.6265/- is hereby cancelled.
2. The non-applicant is hereby directed to prepare a fresh bill by calculating an average of 12 months immediately preceding June 2009 for the assessment
3. The non-applicant is hereby directed to charge the applicant only for three months in the period Jul-09 to Jul-10 with above calculated assessment.
4. The grievance applicant is finally disposed off.

Sd/-	Sd/-	Sd/-
(Smt.K.K.Gharat)	(Adv.Smt.Gauri Chandrayan)	(Shri Shivajirao S.Patil)
Member-Secretary	Member	Chairman