

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

Case No. CGRF(NZ)/45/2018

Applicant : Shri P. R. Varman,
Ranmangli, Th. Bhiwapur,
Pin-441201.

Non-applicant : Nodal Officer,
The Executive Engineer,
Division No.I, MSEDCL,
Ganeshpeth, Nagpur

Applicant represented by : 1) Shri. P. R. Varman,

Non-applicant represented by: 1) Shri P.N. Lande, Ex.Engineer, MSEDCL.

2) Shri D. G. Urkude, Dy.E.E. MSEDCL.

3) Shri Ram Paradkar, Dy.E.E., MSEDCL.

Quorum Present : 1) Shri Vishnu S. Bute,
Chairman.

2) Shri N.V.Bansod,
Member

3) Mrs. V.N.Parihar,
Member Secretary.

ORDER PASSED ON 15-05-2018.

1) The applicant presented his grievance application on 23-4-2018 feeling aggrieved by the order passed by IGRC, Nagpur rural Circle in Case No. 64 of 2017-18 on 19-4-2018. It is the contention of the applicant that IGRC has not considered basic grievance, so he approached this forum under the provisions in Regulation 6.4 of MERC (CGRF & EO) Regulations 2006.

2) A notice was served upon non applicant on 23-4-2018, to file parawise reply and to remain present for hearing on 24-4-2018 and fixed for arguments on 10-5-2018.

3) Applicant stated that IGRC vide order dated 19-4-2018, Average consumption on flat rate of 133 Units was charged for 11 months is correct and meter cannot show 2452 Units for 11 months unless tampered because connected load is same.

Applicant said there is sudden increase in consumption of electricity before & after 11 months period which is clear indication of tempering meter during periods and no further charge should be recovered as he paid 133 units p.m. but meter working is not disputed.

4) Non applicant submission is same as before IGRC & IGRC's order totally correlate with submission and no need to put reply hence again.

5) We heard arguments on 10-5-2018 & perused all the papers on record.

Applicants complaint is about excess billing in the month of Nov.2017. On perusal of CPL, it is clear that average units 133 were charged from Jan.2017 to Nov.2017 on pretext of Inaccessible or reading not taken and meter reading in the month of Nov. 2017 was 2452 and 2452 units charged in month of Nov.2017 were divide into 11 months by system and amount of bill was Rs.8833.23 Ps. & credit of Rs.7742.73 Ps. was given in the bill. The energy bill appears to be appropriate as per consumption of the consumer from Jan. 2017 to Nov. 2017 by billing all slab benefit & average consumption of 133 Units for 11 months was adjusted by giving credit as above.

6) Non applicant Referred Regulation No. 15.3.1 of ESC 2005 and tried to support their action is as Regulation but non applicant failed to refer Reg. 15.3.2 intentionally.

“If the meter remains inaccessible after 2 consecutive efforts to effect the meter reading, then in addition to any remedy available to the D.L. under section 163 of the act, the consumer shall be served not less than 7 working days notice to keep open the premises for taking meter reading on the days stated in the notice”

Prima facie, the reasons inaccessible or R.N.T. are contradictory to one another & fictitious and non serving of notice as per 15.3.2 for eleven months which further proves the falsification on pretext of meter reading inaccessible or R.N.T.

7) As per Reg. 15, it is obligatory on non applicant to issue bills to the consumer at specific intervals but on pretext of Inaccessible or R.N.A., they failed. Which is negligence on part of non applicant or its meter reader agency but non applicant failed to take action against agency.

8) Applicant allege tampering etc. and non applicant said that meter was changed in Feb 2018 and tested on 20-4-18 and error found i.e. 0.098% is within the permissible units but non applicant failed to produce, meter replacement report to show the exact meter reading at the time of meter replacement and meter testing report is silent on meter reading in the meter No. R 7232769 which creates suspicion.

9) During hearing, Forum asked applicant whether he is interested in testing of the meter and he declined for testing in MSEDCL Lab (Urban) Nagpur. Hence allegations of tampering etc. are infructuous and further testing can not be done without consent of the applicant.

10) No doubt, the non applicant adjusted the average units and given credit of Rs.7742.73 Ps. and balance as on Nov.2017 was Rs.1090.50 Ps. (Rs.8833.23 – 7742.33 Ps.) as per regulations. Non applicant shall take note of Regulation 7 read with clause 8(i) of “Appendix A” i.e. Reading of consumer meter and non applicant is liable for SOP compensation but as applicant has not claimed any compensation, it will not be proper to award the same. Non applicant shall take serious note that the meter reading agency shall take meter reading of all the consumers during every billing cycle and defaulted agency shall be penalize promptly to avoid inconvenience to the prudent consumers.

11) In view of the above observations, we did not find any reason to interfere with the order of IGRC and applicant is duty bond to pay balance bill and application is disposed of with following order.

ORDER

1. Applicant is directed to pay balance bill of Rs.1090.50 Ps. i.e. balance of Nov. 2017 and also pay future bill promptly.
2. The order of IGRC is confirmed.
3. Non applicant is directed to follow observation of Forum given in para 6 and 10.

The compliance of the order shall be done within 30 days from date of this order.

Sd/-
N.V. Bansod
MEMBER

Sd/-
Mrs.V.N.Parihar
MEMBER SECRETARY

Sd/-
Vishnu S. Bute
Chairman