

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

Case No. CGRF(NZ)/30/2018

Applicant : Shri Ghanshyam Lekhumal Balwani,
Flat No. 103, Pyramid City, Jaripatka,
Nagpur-440014.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(D/F), NUC, MSEDCL, Nagpur

Applicant represented by : 1) Shri. Sevak Chatnani,

Non-applicant represented by: 1) Shri N. Vairagade, Exe.Engr, MSEDCL.
2) Shri Dahasahastra, SNDL, Nagpur.

Quorum Present : 1) Shri Vishnu S. Bute,
Chairman.
2) Shri N.V.Bansod,
Member
3) Mrs. V.N.Parihar,
Member Secretary.

ORDER PASSED ON 04-05-2018

1. The applicant filed present grievance application before this Forum on 07.04.2018 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Non applicant, denied applicant's case by filing reply dated 25.04.2018.

3. Forum heard arguments of both the sides on dated 02-05-18 and perused record

4. The applicant Shri Ghanshyam Lekhumal Balwani, (Hereinafter referred to as, the applicant) is a residential consumer of MSEDCL bearing consumer no. 410018734447 stated in his grievance application that he has received energy bills from Sept-2017 to Nov-2017 with average 1130 unit. The applicant did not agree with these bills, since in his opinion it was excessive and enormous. Hence, he applied to the distribution licensee SNDL(hereinafter referred to as, the Non-applicant) for revision of the said energy bill issued to him from the month of Sept-17 to Dec-17 on the basis of new meter consumption which in his opinion is as per actual usage of energy consumed by him.

5. In their written submission. Non-applicant replied that, as the display of meter no.SND00663 was not proper, the reading could not be taken by meter reader, hence Bills for Sept-2017 to Nov-2017 were issued as per provision of clause 15.4.1 of MERC's Supply Code Regulation 2005 with "inaccessible" status to the applicant. In this case Average of last twelve months consumption preceding the month Sept-2017 i.e. June 16-to May 2017 is 1168 whereas the actual consumption charged is 1130 units. However they said meter is replaced in the month of Dec-17.,

7. They further contended that, as per clause 15.4.1 of MERC's Supply Code Regulation 2005 bills are revised therefore there is no further scope for revision of the bill. In all the above events, Non Applicant has acted as per procedure laid down in MERC electricity supply code and consumer has been billed with actual, accurate units consumed by the consumer. Hence Applicant's request for revision may be rejected. For these reasons they prayed to the forum to dismiss the applicant's Grievance application.

9. Not satisfied with these arrears, Applicant approached the IGRC, Nagpur Rural Circle on 19.06.2017 vide case no. 37/2018, asking for revision of the said bill

10. The IGRC by its order dated 08.02.2017 dismissed the Grievance application of applicant and stated in the order that *"Bills are issued with monthly average of 1130 units which is well within the limit of average calculated as per MERC's Regulation, The bill of Dec-17 is quite justified. Since as per MERC's Regulation 2005, there is provision of calculation of average consumption in case of No display, there is no need to change the average as per new meter consumption"*

11. Aggrieved by this order, the applicant approached this Forum on 07.04.2018 with requests that the energy Bills issued for their residential connection since Sept 17 to Dec17 are incorrect and excessive .Therefore the same is to be revised, as per new meter consumption.

11. During hearing, Non-applicant reiterated the facts already stated in their written submission.

12. We have perused the record. We have heard the arguments of both the parties.

13. During verification of the CPL, it was observed that in the month of June-16, July-16 and Aug-16-14 consumption recorded is 2553 units,1154 units, 725 resp. Meter is changed in the month of Sept-16., Dec-16 & Jan-17. Non-applicant during hearing neither clarified that these meters were changed due to faulty status nor stated any valid reason for the said change. Presuming these meters are in order during those months, the average consumption of twelve months from June 16 to May -17 works out to be 835 units as against 1130 units stipulated by IGRC., hence it can be concluded that 835 units is the actual consumption of applicant. Therefore

the bills issued during the period Sept-16 to Dec-17 needs to be revised. The claim of the applicant, to revise energy bill since Sept-17 to Dec-17, the same being excessive and enormous is partially accepted. The observations & findings as well as order of IGRC are not justified, hence it is set aside ,and grievance application is therefore partly allowed .

In view of the above facts and figures, we proceed to pass the following order.

ORDER

- 1) Grievance application is partly allowed.
- 2) IGRC order is incorrect, hence is set aside.
- 3) The energy bills from Sept 2017 to Dec-17 be revised on the basis of average consumption of 835 units per month.
- 4) Compliance to be given within 30 days.

Sd/-
N.V. Bansod
MEMBER

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

Sd/-
Vishnu S. Bute,
Chairman