

**Before Maharashtra State Electricity Distribution Co. Limited Consumer  
Grievances Redressal Forum, Pune Zone, 925, Kasabapeth Building, 11nd flr.  
Pune-11**

**Case No. 7 of 2007**

**Date: 30/05/2007**

**In the matter of Mr.Madhav Dattatay Bapat**

**- Complainant**

**V/S**

**M.S.E.D.C.L. Parvati Division**

**- Opponent**

<b>Corum</b>	Chair Person	Mr. A.V.Bhalerao
	Member/Secretary,	Mrs. N.D.Joshi,
	Member,	Mr. T.D. Pore

Mr.Madhav Dattatray Bapat (the Complainant for short) is a consumer receiving supply of electricity from the distribution licensee Maharashtra State Electricity Distribution Co.Ltd (Opponent for short).

The Complainant made a complaint putting forth he various grievances as follows:

- 1) Without checking the correctness of the meter it was replaced and its cost of Rs.1000/- was recovered from him.
- 2) Actual meter reading was not recorded.
- 3) After receiving complaint, acknowledgement against its receipt was refused.
- 4) The electricity bill was not delivered.
- 5) Wrong recording of meter reading.

The complainant did not give particulars , however he produced documents in support of those grievances along with his complaint.

After the complaint was registered, notice was issued to the Opponent. On behalf of the Opponent, the Executive Engineer, Parvati Division, Pune filed say contending that the meter did not record the electricity consumed during period March 2002 to December 2002 which clearly showed that the meter was not working being faulty and therefore it was replaced and according to the then prevalent tariff, the price of it was recovered.

It further contended that in the month of July 03 and September 03, reading of the Complainant's meter was not recorded, however, in the month of November 03 the bill of six months was split-up and issued to the Complainant. For the negligence shown by meter reader, a fine of Rs.1000/- was recovered from him. From the year January 02, divisionwise billing was started. The staff provided was only for billing purpose. The arrangement of recording inward and outward number was for the first time brought in August 2006. Earlier to that there was no separate register for inward and the practice of giving acknowledgement by making signature on the copy of the consumer's application was in vogue.

The Opponent denied that the

reading of the other meter was shown as reading recorded by the Complainant's meter in the bill issued in the month of Sep 05. The Opponent admitted that sometimes reading of the Complainant's meter was not recorded. The Opponent denied all other allegations made by the Complainant. He explained that if reading for the particular month was not recorded then bill was prepared applying fuel charges of

the next month instead of for the particular month for which reading was not recorded. However on complaint made by the consumer the same was being corrected.

In the light of rival contentions raised by the parties in respect of the various complaints made by the Complainant, they are discussed and determined as per final order.

## **REASONS**

The first grievance made by the Complainant is "In the year 2002, without verifying the correctness of the meter, it was replaced and its cost of Rs.1000/- was recovered from him". If in the year 2002 the meter was replaced and its cost was recovered from the Complainant then that complaint cannot be entertained as it is not within 2 years immediately next before the date of filing complaint 16.4.07, in view of the provisions contained in Regulation 6.6 of Maharashtra Electricity Regularity Commission (Consumers Grievance Redressal Forum and Electricity Ambudsman) Regulation 2006 (CGRF Regulations). The said complaint being barred by time, the complainant will not get any relief.

Once it is held that the complaint is barred by time, It is not necessary to go into the merits of the complaint. Further even on merits the complaint made by the Complainant about recovering the cost of meter is without any substance because the said cost was recovered according to the then prevalent tariff.

The Opponent has produced a Xerox copy of the directions dt. 22.2.02 issued by he Technical Director in which it was mentioned that the cost of the meter of the

then existing consumer was to be recovered when the then existing meter was replaced. The order passed by the Maharashtra Electricity Regulatory Commission (MERC) dt. 27.6.02 is produced. In the said order direction was given to the Opponent not to recover the cost of the meter if old meter was replaced with repaired meter. In the instant case it is not the case of the Complainant that his meter was replaced by repaired meter.

The second complaint made by the Complainant is that meter reading was not taken. The complaint did not give particulars about the period for which the meter reading was not taken. Corresponding to that complaint at serial no.2, the Complainant has produced two electricity bills dt. 22.12.03 and 15.12.04. By reading the dates of the bills, it is cleared that cause of action for the said grievance does not fall within 2 years immediately next before the date of filing of the complaint 16.4.07 and therefore in view of the Regulation 6.6 of CGRF Regulation 2005, it is barred by time.

Though the Complainant has not given details about the period for which meter reading was not taken, from the CPL it appears for some period without recording reading shown on meter the bills were raised. The Complainant alleged that from November 06 up to March 07 bills were raised on average basis without recording meter reading. From the CPL, it is seen that the reading was recorded in the month of November 06, meter reading was not recorded in the month of December 06, however, in the month of January 07, meter reading was recorded and the bill was issued. Again in the month of February 07 without meter reading, the bill was raised on average basis, however in the month of March 07 the bill was raised after recording reading shown on the meter. Under Regulation 15.1.1 of Maharashtra Electricity

Regulatory Commission, Electricity Supply Code and Other Conditions of Supply Regulation 2005 (ESC and OCS Regulation 2005) in case of consumers in towns and cities the bill is to be issued once in every two months. For the period December 06 to March 07 it did not happen that continually for more than two months the bill was issued without meter reading.

From the CPL it is seen, in the period January 06 up to July 06 the bills were raised on average basis without meter reading. This period extends to seven months. According to regulation the reading of the meter has to be recorded once in every two months. In the above period continuously for seven months, reading of the consumer's meter was not recorded. Sr.no.7 of Appendix 'A' of Maharashtra Electricity Regularity Commission(Standard of Performances of Distribution Licensee, period for giving Supply and determination of Compensation Regulation 2005 prescribes compensation @ Rs.200/- per month or part there of beyond the first month of delay. In the instant case for seven months reading was not recorded deducting the period of two months and concession given of one month to Complainant is entitled to compensation for four months.

The next grievance made by the Complainant is that acknowledgement was refused against receipt of complaint. The Complainant did not give particulars of this complaint even not the day on which acknowledgement of the complaint given by him was refused. At Sr.no.3 in support of that complaint he produced an application dt. 13.12.03. If acknowledgement was refused against the receipt of that application then obviously the cause of action for it does not fall within two years immediately next before the date of filling of the complaint it is therefore barred by time. If the recently

acknowledgement was refused against the complaint received by the employees of the opponent then the Complainant's remedy was to make grievance to forum without going to Internal Grievance Redressal cell to claim the relief.

The other complaint made by the Complainant is about not delivering the bills. To support the said grievance the Complainant did not give particulars. He did not even state for what period electricity bills were not distributed or delivered to him. If he had not received bill at any time it was his duty to report the same to the officer designated by the Opponent under Regulation 15.5.2 of Maharashtra Electricity Regularity Commission, ESC and OCS Regulation 2005. Even after approaching the officer designated, if the said officer had not given him details of his bill, then that would have been the ground for him to make a grievance.

The Complainant has also made a complaint that wrong reading was recorded and on the basis of such wrong reading the bill was raised. In support of that complaint, he has produced a letter dt. 14.10.05 in which he has mentioned that in the bill for the month of September 2005 the current reading of his meter was shown as 1618, however, actual reading was 1498. Even on 14.10.05 the meter showed the reading 1550. On behalf of the opponent its Executive Engineer produced additional say dt. 28.5.07 and admitted that wrong reading as 1618 was shown in the bill issued to the Complainant for the month of September 05. He submitted that the said mistake occurred while reproducing the figures of reading from CD. It appears that in the month of September, without recording the actual reading of the Complainant's meter, the reading was shown as 1618. The current reading of the previous bill of July 05 as 1368 and the current reading of the next bill for the month of November 05 as 1654

are not in disputes. Even if wrong reading was shown in the bill for September 05, there was no recovery for the excess units from the complainant. Though more units were shown as consumed in the bill issued in the month of Sept 2005, the same was adjusted when in the bill for the month of Nov 2005 units consumed were calculated on the basis of actual reading shown by the meter. However, as for the bill raised in the month of September 05, the units were shown more than actual units consumed, the other charges were proportionately increased. The increased amount calculated by the Executive Engineer, Parvati Division is Rs.53.55. For the bill issued in the month of November 05 the fixed charges should have been Rs.80/- but it was shown Rs.40/- means Rs.40/- less was claimed than actual fixed charges. Deducting the amount of Rs. 40/- from Rs.53.55, the balance Rs.13.55 is due to Complainant. Hence the order.

### **ORDER**

The Opponent do pay an amount Rs.813.50 to the Complainant adopting the mode convenient to it but in any case on or before 1st July 2007 failing which the Opponent shall pay interest on the said amount @ 9% per annum from 1<sup>St</sup> July 2007 till payment.

Sign:

**Mrs. N.D.Joshi,**  
Member/Secretary

**Mr. T.D.Pore,**  
Member

**Mr. A.V. Bhalerao**  
Chair Person

Date: