

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

Case No.24 of 2008

Date: 21/01/2009

In the matter of Mr.Paul Pandurang Vitthal - Complainant

V/S

M.S.E.D.C.L. Shivajinagar Division - Opponent

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Chair Person	Mr. A.V.Bhalerao
Member/Secretary,	Mr. D.K.Mane,
Member,	Mr. T.D. Pore

- 1 Shri.Pandurang Vitthal Paul (Complainant for short) is a consumer who gets supply of electricity from Maharashtra State Electricity Distribution Co. Ltd. (Opponent for short). He claimed compensation Rs. 3,000/- and to have his electricity bill with photograph of his meter and his full address with the date on which photograph is taken. Alongwith the grievance he produced zerox copy of his letter dt. 21/10/08 addressed to Ex.Engr. Ganeshkhind contending that on 15/07/08 he had been to the Regional Office with a electricity bill dt. 04/06/08 for Rs. 15,450/- then again he went to the office at Baner with verification report but on that day the concerned officer was absent and therefore he again went to the office next day on which he was told that his verification report was not forthcoming. Ultimately on 17/09/08 he made payment of the amount after correction in the bill. He did not make any claim of compensation contending that his meter was not read regularly, however he contended that out of six bills there were mistakes in 4 bills & out of 10 bills there were photographs of meter on two bills only. The complainant also

produced a zerox copy of the grievance dt 12/08/08 which he had made to Internal Grievance Redressal Cell (IGRC)

- 2 After registering the grievance the notice was sent to the opponent to file its say. On behalf of the opponent the Ex.Engr.Shivajinagar alongwith his letter dt. 14/01/08 produced the copy of the letter dt. 09/01/09 by which the Dy.E.E. Aundh S/Dn. reported the compliance, of the grievance made by the complainant. In the said letter it was mentioned that after the office had received the application from the complainant contending that the bill for the wrong amount was raised, immediately steps were taken and the bill dt. 30/08/08 for the correct amount Rs. 550/- was given to the complainant for making payment of the electricity charges. In the said letter, it was further mentioned that the M/s. D. Rona Rohitra Pvt.Ltd. a company to which work of taking photographs and distribution of the bills was given did not take the photographs during the period Sept-08 to Oct-2008 and therefore for the said period, the electricity bills for the estimated units 41 were delivered to the complainant. It was further mentioned in the said letter that the computer generated bill for the month of Jan-09 on the basis of meter reading would be prepared. The opponent produced the complainant's Consumer Personal Ledger (CPL) and the revised bill with verification report.
- 3 On the date of the hearing the complainant appeared and produced the notes of arguments along with copies of the electricity bills and the decision given by IGRC. On behalf of the opponent Shri.G.G.Ghatod Dy.E.E. appeared and produced the additional Written statement contending that after the complainant had made an application dt.15/07/08 , he was given a prompt relief and making correction in the bill giving the credit of Rs. 15,538/- revised bill was issued and therefore complainant is not entitled to any compensation on the ground that meter was not read as provided in The Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees , period for Giving Supply and Determination of compensation) Regulation 2005 (MERC SOP Reg.2005). It was further contended that in the next bill

issued the correct amount of security deposit had also been mentioned. The compensation claimed by the complainant for not printing photograph of the meter on the bill is not tenable as no provision has been made in MERC SOP Reg.2005 to that effect, however for the convenience of the consumers a care would be taken to print a photographs of the meter on the bill. The Dy.E.E. Produced a zerox copy of the letter by which the corrected bill was given to the complainant bearing signature of the complainant against it receipt. He also produced a zerox copy of the revised bill dt. 29/11/08 with the signature of the complainant for its receipt.

4 On the pleadings of the parties to the grievance and documents produced by them , following point arise for consideration.

1) Is complainant entitled to compensation for not reading his meter once in every two months.

If yes for what period and quantum?

2) Is complainant entitled to compensation on the ground that he incurred expenses in getting revise bills such as conveyance and mental agony.

The above points are answered as per final order for the reasons given below.

5 POINT NO.1: - The complainant in his grievance claimed compensation Rs. 3,000/- without disclosing the ground or cause of action to claim such compensation he made an application dt. 15/07/08 but in that application he did not claim any compensation for not reading his meter he simply claimed the revision of the bill dt. 04/06/08. The complainant in his application dt. 21/10/08 contended that out of six bills, 4 bills were wrong. Treating this application liberally it can be said that he made a grievance that the bills were issued without reading the meter. The opponent has produced CPL of the complainant from the entries in the said CPL it is seen that in the month of May-08 on the basis of meter reading the bill was

issued, however in the month of June, July, Aug-08 and Sept-08 the bills were issued without reading the meter. However on the basis of the application made by the complainant dt. 15/07/08, the bill was revised in the month of Sept-08 itself and it was given to the complainant on 12/09/08 giving credit of the amount of Rs. 15,538.50 of which details are given in the revision of energy bill known as B-80 form. The complainant paid the amount Rs. 550/- due as shown in the revised bill on 17/09/08. The bill was revised on reading the meter after a period of 3 months and 12 days. In view of the provision at Sr.No.7 of Appendix-"A". to MERC SOP Reg.2005 reading of the meter is to be taken once in every two months and compensation is to be paid Rs. 200/- per months or part thereof beyond the first month of the delay. In the instant case the delay in reading the meter is of 3 months and 12 days and therefore complainant is entitled to compensation Rs.200/- only. On reading the CPL of the complainant it is also seen that for the month of Oct-08, Nov-08, the bills were issued without reading the meter. The verification report shows ultimately the meter had been read on 09/01/09 and revised bill was given to the complainant on 19/01/09. It is thus clear that the meter was read after 3 months and 9 days therefore in view of the provision at Sr.No.7 of Appendix "A" to MERC SOP Reg.2005 as discussed above, the complainant is entitled to the compensation Rs. 200/- for the breach committed by the opponent in reading the meter. The complainant is therefore entitled to total sum of Rs. 400/- by way of compensation.

- 6 POINT NO.2 - The complainant has claimed compensation contending that he had to incur expenses for conveyance to go to the office for getting the bill revised and he suffered mental agony also. The complainant can claim damages for any loss suffered by him, however he cannot claim damages which is indirect consequential and incidental as provided in Reg.8.2 (c) of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2005 (MERC CGRF Reg.2006). In the instant case compensation claimed by the complainant for conveyance and mental agony is indirect and

consequential, further it is also seen that the opponent promptly took action to redress the grievance made by the complainant and revised the bill giving credit of Rs. 15,538/- At no time on the ground of default of payment of the bill, supply of electricity to his premises was cut off. Wrong bills were not deliberately issued to harass the complainant. They were issued as wrong data was provided by the agency to which work of reading the meter was given and therefore this is not a fit case to award general compensation claimed by the complainant.

ORDER

The grievance made by the complainant is partly allowed. The opponent is directed to pay the amount Rs. 400/- (Rs. Four hundred only) to the complainant for not reading the meter as provided in MERC SOP Reg.2005, by adjusting the said amount in the bill that will be issued in the month of Feb-09.

The opponent is directed to report the compliance of this order to the forum on or before 1 March-2009.

Mr. D.K.Mane,
Member/Secretary

Mr. T.D.Pore,
Member

Mr. A.V. Bhalerao
Chair Person

Date: 21/01/2009