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REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/ 239/0069      Date: 21.05.2019

**Hearing Date: 05.03.2019**

**CASE NO. 239/2018**

**In the matter of Billing**

Mr. Raghuvar S. Yadav,  
Chawl No.1,R.Ho.17,  
Mumbra Devi Colny Road,  
Reliance Tower Diva (E)-612.. .  
**Applicant)**

..... (Hereinafter referred as

Versus

Maharashtra state Electricity Distribution Company Ltd  
Through it's Nodal Officer,  
Thane Circle,Thane

..... (Herein after referred as Respondent )

For Consumer – Shri. Sardar      Consumer representative

For Respondent:- Shri. Bhusan Garude Additional Executive Engineer Shil  
Sub- Division Subdivision M.S.E.D.C.L

[Coram- Dr. Satishkumar Jaiswal - Chairperson, Shri. R.S.Avhad -Member Secretary and Sharmila Ranade - Member (CPO)].

1. Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with subsection 5 to 7 of

section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'. Further the regulation has been made by MERC i.e. Maharashtra Electricity Regulatory Commission. [Electricity Supply Code and other conditions of supply Regulations 2005] Here in after referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.' Hereinafter referred 'SOP' for the sake of convenience.

2. Be aggrieved with order Of IGRC ,Thane The Appellant filed his grievance in schedule 'A' to this Forum .The appellant herein is Mr. Raghavar S. Yadav bearing consumer No. 000460480558. Grievance rose of bill not issued as per reading. The applicant further submit in Jan 2018 the respondent issued accumulated consumption of 7696 units for a past period of 5 years ( August 2013 to 10/12/2017 ) on faulty meter status in spite of meter working condition. The applicant prayed to instruct the respondent to revise bill as per 56(2) of Indian Electricity Act 2003.

3. The Notice issued to the Respondent to submit para wise reply and to appear before Forum. In result, the Respondent submits reply dated states that the applicant has raised grievance in r/o consumer no 000460480558 regarding bill not issued as faulty status since August 2013 to 10/12/2017. The respondent further submit that the applicant submit application in Jan 2018 about exorbitant bill. The accumulated reading split from August 2013 to January 2018 and credit of amount Rs 53492/- given in February 2018.

4. We have heard both sides and gone through the record, it is found that the applicant raised accumulated 7696 unit's bill in January 2018.

The respondent issued faulty status bill from August 2013 to 10/12/2017 to applicant and he paid the bills regularly. It is duty of the respondent to issue the correct reading bill but fails to do it. The connected load in the applicant premises is LED Bulbs 4 Nos, 2 Fan and 1 fridge. I gone through the legal provision of 56(2) on which applicant relied which read as 56(2) *"Notwithstanding anything contained in any other law for the time being in force, no sum due from any consumer, under this section shall be recoverable after the period of two years from the date when such sum become first due unless such sum has been shown continuously as recoverable as arrear of charges for electricity supplied and the licensee shall not cut off the supply of the electricity"*.

5. Every consumer has no time to litigate against the Opponent who has a monopoly in the business of supply of electricity. In this case as the time limit has been provided for the recovery of the arrears up to two years the consumer could survive. Every employee of the Company, therefore, is expected to be diligent in performing his duty of issuing electricity bill so that neither Company should be put to any loss nor the consumer be put to any inconvenience or suffer an agony.

6. Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005 clause 4.3 Reading of Meter readings shall be undertaken by the Authorised Representative at least once in every three months in the case of agricultural consumers, and at least once in every two months in the case of all other consumers, unless otherwise specifically approved by the Commission for any consumer or class of consumers. So the accumulated reading of 7696 units from August 2013 to 10/12/2017 should divide in 52 Months and recover only for 24 Months prior to January 2018 when accumulated reading bill raised. Hence I proceed to pass following order.

## **ORDER**

- a. The Applicant application in case 239 of 2018 is hereby partly allowed.
- b. The respondent shall revise bill by dividing 7696 units in 52 months i.e accumulated reading from August 2013 to 10/12/2017 and recovery only for 24 months prior to Jan 2018 without DPC and Interest.
- c. Respondent Utility take action on all concerned officers responsible for not issuing correct reading monthly bill for such long period.

No order as to the cost.

**I Agree/Disagree**

**I Agree/Disagree**

**MRS. SHARMILA RANADE,  
MEMBER  
CGRF, BHANDUP**

**Dr. SANTOSHKUMAR JAISWAL  
CHAIRPERSON  
CGRF, BHANDUP**

**RAVINDRA S. AVHAD  
MEMBER SECRETARY  
CGRF, BHANDUP**

The order is issued under the seal of Consumer Grievance Redresses Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, and Bhandup.

**Note:**

- a) The consumer if not satisfied, may file representation against this order before the Hon. Ombudsman within 60 days from the date of this order at the following address. " Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission,606, Keshav Building,Bandra - Kurla Complex, Bandra (E),Mumbai - 400 051"
- b) consumer, as per section 142 of the Electricity Act, 2003, can approach Hon'ble Maharashtra electricity Regulatory Commission for non- compliance, part compliance or

c) Delay in compliance of this decision issued under" Maharashtra Electricity Regulatory Commission ( consumer Redressed Forum and Ombudsman) Regulation 2003" at the following address:-

"Maharashtra Electricity Regulatory Commission, 13<sup>th</sup> floor,world Trade Center, Cuffe Parade, Colaba, Mumbai 05"

d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.