

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM  
AURANGABAD ZONE, AURANGABAD.**

**Case No. CGRF/AZ/AUC/726/2019/11  
Registration No. 2019020047**

Date of Admission : 16.02.2019

Date of Decision : 09.07.2019

Shri. Subhash Trimbak Patel, : COMPLAINANT  
P.NO.31 G Sector Town Center CIDCO,  
Aurangabad -431001.  
(Consumer No. 490011403163)

**VERSUS**

Maharashtra State Electricity Dist. Co. Ltd.,: RESPONDENT  
through it's Nodal Officer, EE(Admn.),  
Urban Circle, Aurangabad.

The Addl. Executive Engineer,  
Chikalthana, Sub Division, Aurangabad

For Consumer : Shri. H.A.Kapadia  
For Licensee : Shri. Mohadikar,  
Addl. EE, Chikalthana, Sub-Dn.

**CORAM**

Smt. Shobha B. Varma, Chairperson  
Shri Devendra R. Jaiswal Tech. Member/Secretary  
Shri Vilaschandra S. Kabra Member.

**CONSUMER GRIEVANCE REDRESSAL DECISION**

1) The applicant Shri. Subhash Trimbak Patel, P.NO.31 G- Sector Town Center CIDCO, Aurangabad is a consumer of Mahavitaran having Consumer No. 490011403163. The applicant has filed a complaint against the respondent through the Executive Engineer i.e. Nodal Officer, MSEDCL, Urban Circle, Aurangabad under Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulation 2006 in Annexure (A) on 16.02.2019.

**The brief facts of the dispute are as under:-**

2) That, the complainant is retired police officer and is presently residing at his own premises situated on aforesaid address. The complainant is sourcing electricity supply from Respondent company for his residential premises and is therefore consumer of Respondent as per provision of Electricity Act 2003.

3) Respondent is responsible officer of Maharashtra State Electricity Distribution Company (hereinafter referred to as MSEDCL for sake of brevity) and is providing electricity supply to the complainants premises.

4) The complaint filed before IGRC Cell is not concluded within the period of two months.

5) It is submitted that in view to install Roof Top Solar system at his premises, the petitioner has submitted application to concerned office of MSEDCL on Dt. 16.04.2018 and has paid necessary processing fees.

6) That, MSEDCL, Subdivision Chikalthana issued sanction for installation of PV Roof top solar system of 6 Kw capacity . However, as the Bi Directional meter (Net meter) and generation meter were not available with MSEDCL, the complainant was required to procure and install the same for obtaining solar Net metering connection.

7) That, on completion of all formalities, Net metering connection was released at the complainant's premises in the month of August 2018.

8) It is submitted that after installation of Solar Net meter, it was expected that the bills will be issued after considering the units exported by Solar system. However, the complainant observed that the monthly bills were issued without taking into account the units exported by solar system. The complainant was required to pay excess amount every month, towards electricity bills.

9) The complainant has obtained copy of details of consumption from June 2018 till February 2019 down loaded from MSEDCL website which confirms that the bills were issued on average basis i.e. without considering solar generation units.

10) The complainant submit that as per MERC directives and MSEDCL circular No.258, the net and generation meters are required to be provided by Distribution Licensee i.e. MSEDCL. Therefore, in view of above directives/circulars, the complainant is entitled to receive cost of Net meters procured by him.

11) **It is prayed that :-**

- 1) The bill be revised as per meter reading & considering solar generation units & without levying interest & DPC.
- 2) Respondent may be directed to refund cost of Net and generation meter procured by complainant along with its testing fees.
- 3) Respondent may be directed to pay suitable compensation towards mental agony and harassment.

**12) Respondent has submitted say (P.NO.20) & raised following contentions:-**

1) In August 2018, the solar Net meter was installed, however, the information was not feeded in computer generated syste. As such, as per average consumption of old meter , the bill was issued. However, by taking information in computer generated system as import & export reading the bill will be issued in the next month.

2) In the additional say (P.No.26) it is submitted that on dtd.11.03.2019, the information is feeded in computer generated system. On that day import reading of consumer was 2775 & export reading was 1079. Now, bill will be issued of 1696 units.

3) In further additional say (P.NO.28) the Respondent has submitted that bill of March 2019 is issued. The average bill of September 2018 to February 2019 is corrected vide bill revision No.10212523 by deducting Rs. 96841.07 Ps. The dealayed charges Rs. 1618.95 Ps. proposed to be deducted vide bill revision No.10212535. Similarly interest amount of Rs. 1283.67 is proposed to be deducted. Hence by end of March 2019 on deducting aforesaid amount , bill of Rs. 4486.00 is payable by the consumer.

4) In the rejoinder (P.No.31), the complainant has submitted that compensation may be granted for deficiency in service of the Respondent.

5) The complainant has passed purshis (P.NO.35) informing that, the bill of April 2019,is corrected & DPC charges & interest is withdrawn, so these prayers are complied. As such , he has pressed only prayer No.5 & 6 regarding refund of Net meter & generation meter cost & testing charges.

13) We have gone thourgh the pleadings & documents placed on record by both the parties. Heard Consumer Representative Shri. Kapadia, Shri.

Mohadikar Additonal Executive Engineer, Chikalthana Sub-division is absent, though several opportunities are granted to him. As such his arguments are taken on merits. On 09.07.2019, the petitioner has produced documents. Shri. Mohadikar, Additional Executive Engineer, Chikalthana is present & submitted his say on production of additional documents.

14) Following points arise for our determination & we have recorded its findings for the reasons to follow:

Sr.No	POINTS	ANSWER
1	Whether cost of Net & generation meter procured by the petitioner be refunded to him alongwith testing fees?	Yes.
2	Whether compensation be granted to the petitioner?	Yes. Rs.1000/-
3	What order?	As per final order

**REASONS:**

15) **PONIT NO.1:** The Respondent has not disputed the fact the Net & generation meter was procured by the complainant & it was installed for obtaining solar meter connection. Payment of testing by the petitioner is also not disputed by the Respondent . The petitioner has produced on record copy of invoice of purchasing Net & generation meter (P.NO.37) & Receipts about payment of testing fee Rs. 354 (P.No.38).

16) Commercial circular No.258 Dtd. 25.01.2016, issued by the Respondent solar PV Project/system Rule 7.3 speaks as under:

“7.3. The Net Meter in the premises of the Eligible Consumer shall be procured and installed by MSEDCL at its own cost and in accordance with the provision of the Electricity Supply Code :

If the eligible consumer is within the ambit of Time of Day (‘ToD’) Tariff, the Net Meter installed shall be capable of recording ToD consumption and generation. MSEDCL shall replace the meter of an existing Eligible Consumer with a Net Meter.

The Eligible Consumer may opt to procure, at his cost, the Net Meter for testing and installation by the MSEDCL.

7.4. MSEDCL shall be responsible for the supply, installation, testing and maintenance of the metering equipment, and its adherence to the applicable standards and specifications.”

17) So, considering the rule, it is just & proper to refund cost of Net Meter, Generation Meter & Testing charges to the complainant. We accordingly answer point No. 1 in the affirmative.

18) **PONIT NO.2:** The Net metering connection was released in the month of August 2018. However, it was not feeded in computer generated system. Resultantly, since September 2018 to February 2019 average bill was issued to the consumer. Particulars of billing amount (Net copy) is produced by the petitioner (P.No.18). It goes to show since September 2018, excess amount was shown in the bill with average units 955, from September 2018 to February 2019. From March 2019 Bill was issued as per Solar system.

19) In this period from September 2018 to February 2019, there were threatening of disconnection received to the petitioner on telephonic calls from Pune centre. Therefore, the consumer has rushed to this forum & prayed for protection. Thus, for no fault on the part of consumer, he has suffered

mental agonies on account of proposed coercive action of the Respondent. Further the Respondent has failed to explain the delay of six months caused to feed the meter in computer generated system, thereby resulting in giving bills of excess amount. Therefore for mental agonies, we feel it just & proper to grant compensation of Rs.1000/- to be paid to the consumer by the Respondent & it is to be recovered from the pocket of erring officer. We accordingly answer point No.2 in the affirmative.

Considering above discussion, we proceed to pass following order in reply to Point No. 3.

**ORDER**

**Petition is allowed :-**

- 1) The Respondent is directed to refund cost of Net meter, Generation meter & testing charges to the petitioner within one month from the date of receipt of this order.
- 2) The Respondent is directed to pay compensation of Rs. 1000/- (Rs. One Thousand only) to the petitioner & it be recovered from the erring employees.
- 3) Parties to bear their own cost.
- 4) Compliance be reported within 30 days.

Sd/-  
Shobha B. Varma  
Chairperson

Sd/-  
Devendra R. Jaiswal  
Member / Secretary

Sd/-  
Vilaschandra S.Kabra  
Member