

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005.
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Case No. 90 of 2011

In the matter of

Complaint filed by Shri Sakharam Ganpatrao Deshpande against MSEDCL under Section 142 of the Electricity Act, 2003, alleging non-compliance of the Order dated 4th November, 2010 passed by the CGRF, Aurangabad Zone, in regard to meter reading and revision of electricity bill.

**Shri V. P. Raja, Chairman
Shri Vijay L. Sonavane, Member**

Shri Sakharam Ganpatrao Deshpande,
Deshpande Galli, Partur,
Post & Taluka Partur, District Jalna – 431501.

.....Complainant

V/s

Maharashtra State Electricity Distribution Company Limited
Through Executive Engineer, Jalna Division

.....Opponent

Present during the hearings

For the Complainant: Shri Sakharam Ganpatrao Deshpande – the Complainant
Shri V. B. Bopi - Advocate

For the Opponent: Shri D. T. Sayanekar, Executive Engineer, MSEDCL Division-II, Jalna
Shri P. R. Taur, Asst. Engineer, MSEDCL Patrur Division-II, Jalna

ORDER

Date: 13th February, 2012

Shri Sakharam Ganpatrao Deshpande, the Complainant, filed a complaint on Affidavit, on 5th May, 2011 against the Maharashtra State Electricity Distribution Company Limited (“MSEDCL”), the Opponent herein, under Section 142 of Electricity Act, 2003 (“EA 2003”) alleging non-compliance of an Order dated 4th November, 2010 passed by the

Consumer Grievance Redressal Forum (“CGRF” or “Forum”), Aurangabad Zone, in regard to meter reading and revision of electricity bill.

2. The prayer made by the Complainant is as under:

“ Please give necessary instructions to the concerned authorities regarding proper and correct billing and justice in the matter for harassing, charge fine, as shown above.” (i.e. up to Rs.50,000/-)

3. The Complainant’s submissions are:

- a) The electricity bills were issued to him on estimated reading basis (without meter reading), and that, even after making a complaint in writing, to the Opponent’s office, with a request to issue corrected bills, the Opponent did not take any corrective action. Instead, the Opponent again issued an arbitrary bill.
- b) The Complainant then filed a grievance with Internal Grievance Redressal (IGR) Cell, Jalna Circle, on 18th March, 2010. The IGR Cell did not take any action in this matter. Aggrieved, the Complainant approached CGRF, Aurangabad Zone, on 06th September, 2010.
- c) During the hearing by the CGRF, Aurangabad Zone, the Opponent (Nodal Officer, MSEDCL) admitted that the meter reading was not taken and the electricity bills were issued considering average units. Further, he had submitted a copy of the proposal duly approved by C.E., Aurangabad Zone, for correction of the bills of the Complainant, and the Inspection Report of consumer’s premises.
- d) The Forum observed some errors in the details submitted by the Opponent and passed an Order dated 4th November, 2010, directing as hereunder:
 १. महावितरण कंपनीने माहे डिसेंबर २००५ ते फेब्रुवारी २०१० या कालावधीत दिलेली वीज देयक रद्द करण्यात येत आहे. त्याऐवजी वरील कालावधीकरीता ११२९४ युनिटची सम विभागणी करून सुधारीत वीज देयक देण्यात यावे. तसेच मार्च २०१० चे पुढील कालावधीकरीता मीटर रिडींग नुसार वीज देयक देण्यात यावे.
(The electricity bills issued by MSEDCL for the period Dec. 2005, to Feb. 2010, are cancelled. In place of the same, for the said duration, the corrected electricity bill to be issued, by equally dividing 11294no. of units. Similarly, from March 2010, onwards the electricity bills to be issued according to meter reading.)
 २. वरील सुधारीत वीज देयक देतांना त्यात कोणतेही व्याज व दंडाची आकारणी करू नये.
(While issuing above revised electricity bill, no interest or penalty should be imposed.)
 ३. वरील कालावधीत ग्राहकने वीज बिलापोटी भरणा केलेल्या रकमेची वजावट सुधारीत वीज बिलातून करावी.
(The amounts paid by the consumer during the abovesaid period should be deducted from the revised electricity bill.)
- e) The Complainant, alleging that the Opponent has not complied with the CGRF’s Order, filed this complaint before the Commission under Section 142 of EA, 2003.

4. The Commission vide Notice dated 22nd June, 2011, fixed the hearing in the matter on 13th July, 2011. During the hearing on 13th July, 2011 no one appeared before the Commission on behalf of either the Complainant or the Opponent.
5. Subsequently, the Complainant vide letter dated 30th July, 2011, received by the Commission's office on 2nd August, 2011, submitted that he had not received any communication against his application and also requested the Commission to expedite the matter.

Taking into account that the Complainant may not have actually received the Notice for the scheduled hearing as above, the Commission decided to hold a hearing in the matter on 26th August, 2011.

6. During the hearing held on 26th August, 2011, both parties were present. The Complainant reiterated his submission and conveyed that the Opponent has issued wrong electricity bills not only to the Complainant but also to other consumers of Partur Taluka.

On Commission's enquiry about the number of MSEDCL's consumers in Partur Taluka and what action would be taken by the Opponent for improving the meter-reading system there, the Opponent submitted that around 20,000 consumers of MSEDCL exist in Partur Taluka, and that, corrective action would soon be taken for system improvement. Further, the Opponent submitted that from the next billing cycle onwards the electricity bills will be issued based on actual meter readings. The Commission observed that there should be an 'Action Plan' for improvements covering all the consumers of the area.

The Commission then directed the Opponent to submit the compliance report in regard to the said Order of CGRF in writing within one week. Further, the Commission directed the Opponent to submit a report describing the Action Plan to ensure proper meter-reading/ billing for all consumers of Partur Taluka, during the next hearing.

7. A hearing was held before the Commission on 20th September, 2011, when both the parties were present. On 24th November, 2011, none of the parties were present. However, the Commission took on record the Opponent's compliance report of the Order passed by CGRF, Aurangabad Zone, as submitted under its Affidavit dated 19th September, 2011.
8. The status of compliance, based on the Opponent's compliance report under its Affidavit dated 19th September, 2011, is as follows:

Sr. No.	CGRF directives in the Order dated 4 th November 2010	Opponent's submission	Commission's observations regarding compliance with CGRF directives in the Order dated 4 th November 2010

1.	<i>The electricity bills issued by MSEDCL for the period Dec.-2005 to Feb.-2010, are cancelled. In place of the same, for the said duration, corrected electricity bill to be issued by equally dividing 11294 units. Similarly, from March 2010 onwards, electricity bills to be issued according to meter reading.</i>	The consumer's energy bill is revised as per CGRF's Order, for the period of Dec-2005 to Feb-2011 by withdrawing the earlier energy bills and bill is revised considering the actual consumption i.e. 11294 units during this period. Thereafter, this office has revised the further energy bill as per actual consumption since March-10 and onwards.	Complied
2.	<i>While issuing revised electricity bill, no interest or penalty should be imposed.</i>	For this period, no interest and amount of delayed payment charges, is levied on the consumer.	Complied
3.	<i>The amounts paid by the consumer during the abovesaid period should be deducted from the revised electricity bill.</i>	The revised bill for Rs.4,194.00 is issued to the consumer and consumer has made payment of said bill by cheque No. 182092 dated 16.09.2011, and money receipt No. 1928413 dated 16.09.2011.	Complied.

The Complainant submitted verbally during the hearing held on 20th September, 2011 that he is satisfied with the compliance made by the Opponent in the matter.

9. The Opponent also submitted an Action Plan for achieving proper meter-reading/billing of all consumers in Partur Taluka.

With above developments in the matter, the Commission observes that the Opponent has complied with the Order dated 4th November, 2010, passed by the CGRF, Aurangabad Zone, and hence nothing survives in the present complaint.

However, the fact that the compliance with CGRF's Order has been made by the Opponent only after the Complainant approached the Commission with its complaint, needs to be deprecated.

With the above, Case No. 90 of 2011 is disposed of. No order as to costs.

Sd/-
(Vijay L. Sonavane)
Member

Sd/-
(V. P. Raja)
Chairman