



## Chhattisgarh State Electricity Regulatory Commission

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### Suo Motu Petition No. 24/2009(M)

1. Chief Engineer (O&M)

2. Chief Engineer (S&P)

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Respondents

### ORDER

(Passed on 08.07.2009)

As per section 55(1) of the Electricity Act, 2009 (the Act) 'no licensee shall supply electricity, after the expiry of two years from the appointed date except through installation of a correct meter.' Since cent percent meterization, could not be completed by the erstwhile Chhattisgarh State Electricity Board (CSEB) within two years from the appointed date, the Commission in exercise of its powers conferred under the second proviso to section 55(1) of the Act and looking to the status of meterization in the State and time taken in procurement of meters, and its installation, had extended the time limit to provide meters for consumers of all categories of CSEB upto end March 2007, vide order dated 12.04.05. The Commission had further extended time limit from March 2007 to 30.09.2008 vide notification published in Chhattisgarh Rajpatra on 11.05.07. Thereafter, on review of the progress of meterization, it came to the notice of the Commission that the Board had defaulted again and that the target of cent percent meterization was unlikely to be met by 30.09.08. The CSEB then on the directions of the Commission, submitted a joint action plan prepared by the Chief Engineer (O&M) and the Chief Engineer (S&P) of the CSEB to the effect that cent percent meterization would be achieved by 31.03.09. The Commission passed orders on 31.01.09 to the effect that meterization of all its consumers should be achieved by 31.03.09. In this order passed in petition No. 18 of 2007 (M), the Commission had observed as under:

"Now that a joint plan of action has been prepared, the Commission agrees, very reluctantly, to extension of the time period for completion of meterization in the State by six more months beyond September 2008 up to March 2009. The Board should note that under no circumstances will this time limit be extended. Non-compliance of this order will make the Board liable for action under section 142 of the Act automatically. The Commission shall consider imposition of penalty on each day basis w.e.f. 1<sup>st</sup> April 2009 in case of default. The revised schedule may be notified in the gazette. In spite of repeated direction the names of defaulting officers who are responsible for providing electricity connection without proper meters have not been furnished. The Board is clearly soft-peddling this issue which is a violation of the provisions of the Act. However, we drop this matter with a warning that any such lapses in future will be viewed

seriously and appropriate action will be taken under the provisions of the Act against individual officers responsible. With the above directions these proceedings under section 142 of the Act are dropped subject to the following:

- (i) The action plan prepared should be strictly adhered to and the time schedule accelerated, if possible.
- (ii) There shall be joint monitoring of meter procurement and installation every month by CE (O&M) and CE (S&P) and the result of such review conveyed to the Commission every month."

2. The Chhattisgarh State Power Distribution Company Ltd. (CSPDCL) (the successor of the erstwhile CSEB) on repeated pursuance of the Commission has submitted an application to this Commission vide letter No. 2373 dated 30.03.09, for further extension of time from 31.03.09 to 31.03.2010. to achieve cent percent meterization, The distribution company has informed that during the year 2008-09 (upto Feb'09) they had provided meters in 58948 pump connections against 92689 pumps, leaving balance 37320 pumps. Similarly, they have installed as many as 3,24,377 meters in un-metered BPL connections during 2008-09 (upto Feb'09) leaving a balance of 1,55,898 un-metered BPL connections. Thus, the total number of un-metered connections as on Feb' 09 is 1,89,000. They have also stated having replaced 4,31,498 old electro-mechanical meters by electronic meters during 2008-09 (up to Feb' 09) which was also required to be replaced under on going APDRP scheme for which closure was due in Feb'09. Replacement of such huge number of electro-mechanical meters by electronic meters has affected the progress of cent percent meterization. CSPDCL has requested for approval for extension of period of cent percent meterization up to 31.03.2010, i.e. by one more year.

3. The Board or its successor has not complied with our directives. They have not even cared to come up with their proposition to the Commission in time why the directions can not be complied with. In view of this order extension of time for cent percent meterization should not normally be granted. However, in view of the large number of electro-mechanical meters replaced by electronic meters, we again most reluctantly extended the period of completion of meterization by six months up to September, 2009. However, this does not absolve the concerned officers of their responsibility for non-compliance of the orders of the Commission. We had dropped proceedings under section 142 with a warning that could any such lapses in future would be viewed seriously and appropriate action will be taken under the provision of the Act against individual officers responsible. Accordingly, a case under section 142 of the Act was again registered and notice were issued to CE (O&M) and CE (S&P) who have been tasked the responsibility of joint monitoring of meters procurement and installation of every month, as to why action under section 142 be not taken and a penalty of Rs.10,000/- each not

imposed on them. The CE (O&M) and CE (S&P) submitted their reply, appeared before the Commission and informed that the work of providing meters to un-metered BPL connections and un-metered pump connections are in progress and so far meters are to be provided on 94197 un-metered BPL connections and 25298 in un-metered pump connections i.e. total 1,19,495 meters as on March 2009 and they will be able to provide meters by September 2009 as per the target given by the Commission excluding meter in 461 un-metered BPL connections in O&M division Dantewada on account of naxalite activities.

4. Looking to the progress of the work executed during 2008-09 and remaining few balance un-metered BPL and pump connections as compared to total number of BPL and pump connections the Commission is of the view that the action proposed under section 142 of the Act against CE (O&M) and CE (S&P) and to impose a penalty of Rs.10,000/- each be dropped with the directive to the CE (O&M) and the CE (S&P) to complete the balance work of cent percent meterization (excluding 461 number BPL connections in Dantewada division) by the targetted date of September 2009 positively.

We order accordingly and the case is closed.

**Sd/-**  
**Member**

**Sd/-**  
**Chairman**