

# BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission  
under Section 42(6) of the Electricity Act, 2003)

## REPRESENTATION NO. 78 OF 2024

In the matter of abnormal billing in Aug. 2023

Madhav D. Hardikar.....Appellant  
(Consumer No.000011942857)

V/s.

Maharashtra State Electricity Distribution Co. Ltd., Wagle Estate Dn..... Respondent  
(MSEDCL)

Appearances:

Appellant : Madhav D. Hardikar

Respondent: 1.Satish Jadhav, Executive Engineer, Wagle Estate Dn.  
2. Anil Maske, Additional Exe. Engineer, Kolshet Sub-Dn.

**Coram: Vandana Krishna [I.A.S. (Retd.)]**

Date of hearing: 28<sup>th</sup> May 2024

Date of Order : 30<sup>th</sup> May 2024

## ORDER

This Representation was filed on 25<sup>th</sup> April 2024 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the order dated 27<sup>th</sup> February 2024 passed by the Consumer Grievance Redressal Forum, Bhandup (the Forum) in Case No. 100 of 2023-24. The Forum by its order rejected the grievance application of the Appellant regarding abnormally high billing, as the meter was found in order in testing.




(Dilip Dumbre)  
Secretary

Electricity Ombudsman Mumbai



2. Aggrieved by the order of the Forum, the Appellant has filed this representation. A physical hearing was held on 28.05.2024. Both the parties were heard at length. The Respondent filed its reply dated 14.05.2024. For easy understanding, the Respondent's submissions and arguments are stated first as below. *[The Electricity Ombudsman's observations and comments are recorded under 'Notes' in brackets where needed.]*

- (i) The Appellant is a single-phase Residential Consumer (No. 000011942857) from 15.01.2002 having sanctioned load of 0.4 KW at Vijay Park, Building No. 21, Flat No. 204, Kasarwadawali, Thane (West). His normal pattern of consumption was about 65 units per month on average.
- (ii) The Appellant filed a high bill complaint of 1247 units in August 2023 amounting to Rs.21,279/- on 25.9.2023 at Sub-Dn office.
- (iii) As per the consumer's application, the meter of Pal Mohan Make (No.08203305387) was checked on 25.9.2023 with an Accucheck machine at the site in the presence of the consumer. The Test Results of the meter were found in order. The consumer's connected load was found as:-  
5-Tubelights, 5-Lamps, 2-Fans, 1-Iron, 1-A.C, 1- Geyser and other electric points.
- (iv) As per the Consumer's Personal Ledger (CPL), the bill issued in the month of August-2023 was as per the actual meter reading. The consumer was informed accordingly. All the bills issued were as per the energy actually consumed by the Appellant.
- (v) The Appellant filed a grievance application in the Forum on 05.10.2023. The hearing was conducted on 31.10.2023. During the course of the hearing, the Forum directed the Respondent to test the meter at the meter testing Laboratory to verify the accuracy of the meter. Accordingly, the said meter was again tested at the meter testing Laboratory on 06.11.2023 and the meter test results were again found in order.
- (vi) The Forum observed in its order that,  
*"it is surprising to note that, if the applicant was getting less units bills in past period and the applicant also admitted that, all the electrical appliances installed are as it is and there is no change. Then it is expected that, he should immediately complaint*

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



*regarding the less units recorded on the meter. However, it is pertinent to note that, the Applicant made complaint on high bill when he received the bill for the month of August 2023”.*

The Forum by its order rejected the grievance application of the Appellant as the meter was found in order in testing.

(vii) There are many other factors which may suddenly increase electricity consumption of a consumer, such as


- Unauthorized extension of load to others,
- unauthorized tapping,
- Defective electric wirings/ electric gadgets
- Old and outdated appliances

(viii) A meter is installed for recording accurate consumption. There is no scientific reason or tendency for a digital meter of a reliable make to run fast for a specific period of one month and work normally or accurately in other periods.

(ix) As per Regulations,4,4.1 of Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021 (Supply Code & SOP Regulations 2021) “4.4. Charges for Electricity Supplied

*4.4.1 The Distribution Licensee is authorized to recover charges for electricity supplied in accordance with such tariffs as may be fixed from time to time by the Commission:”*

(x) The Appellant demand of MRI Data of the specific month is nothing but an afterthought. There is no facility for downloading MRI data in this particular make of the meter. There are multiple meters in the society (26 Buildings & 28 meters in each building). There was no such incident observed in Vijay Nagar Complex or nearby periphery. The Respondent put up photocopies of meter readings for the record.


  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



- (xi) These static meters are designed for absorbing voltage spike in the system, and the meter has to go in for various types of tests during the process of manufacturing as per Indian Standards before starting mass manufacturing activity.
- (xii) The Pal Mohan make meter of the Appellant was replaced by a new meter on 31.10.2023. The consumption pattern remained nearly the same after the replacement of the meter. The Maximum Demand recorded was found 7.4 KVA per month.
- (xiii) It is understood that the consumer is a senior citizen and has only three family members; however, the rules do not permit to revise the high bill, as the Appellant has actually consumed these units in Aug. 2023. In view of the above, the Respondent prays that the representation of the Appellant be rejected.

3. The written submissions and arguments of the Appellant are stated in brief as below: -

- (a) The Appellant is a residential consumer (No. 000011942857) from 16.07.2016 at the address mentioned in Para 2(i). The Appellant is regular in the payment of electricity bills. The Respondent issued bills correctly up to the month of July 2023. The bills were in the range of 40 to 133 units per month for the period from April 2020 till date, except Aug. 2023.
- (b) The Appellant suddenly received a bill of Rs. 21,279/- for 1247 units in the month of Aug. 2023. Hence, the Appellant submitted a complaint of high bill on 25.9.2023 at the Respondent's Sub-division office. However the Respondent insisted that the meter accuracy was found in order in testing. MSEDCL's investigation primarily relies on the assumption that the electric meter functions correctly.
- (c) However, the Appellant questioned whether meter abnormalities could lead to erroneous readings. External factors like electrical surges in the network could influence energy meter readings. These points were overlooked in the investigation. The Appellant suspected that sudden power surges might have affected meter readings in Aug. 2023, being rainy season. The Respondent's Testing Laboratory also stated that the meter has RTC (Real Time Clock) failure issue. [Note: RTC issue does not affect meter readings.]


  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



- (d) The Appellant requested to provide MRI Data of the meter. However, MSEDCL has not provided the meter's downloaded data, which could identify abnormal events and pinpoint the day of abnormal event. *[Note: During the hearing it was explained that the single-phase meter in this case does not have the facility to provide day-wise data of consumption. Only 3-phase meters have that facility to provide half hourly consumption data, but these meters being more expensive have not been installed for low consumption households.]* Instead, they have relied solely on Accucheck and Testing laboratory results for meter accuracy which only provides instantaneous accuracy of the meter. Given the uncertainty surrounding the spike in consumption, the Appellant urged for fair treatment with natural justice, and requested MSEDCL to withdraw the August 2023 bill, suggesting an average charge based on his consumption over the last three years. The Appellant paid the said bill under protest to avoid disconnection.
- (e) The Society of the Appellant is a very good registered cooperative Housing Society which is well managed, and hence, there is no possibility to tap the connection in an unauthorized way from the Appellant's connection.
- (f) The Appellant is a senior citizen (aged 71 years) and has gone through trauma of these proceedings. In view of the above, the Appellant prays that the Respondent be directed to withdraw the abnormal bill of Rs. 21,279/- of Aug. 2023, and to issue a bill with established average consumption for the previous three years.

### **Analysis and Ruling**

4. Heard both the parties and perused the documents on record. The Appellant is a residential consumer (No. 000011942857) from 15.01.2002 at the address mentioned in Para 2(i). The Respondent issued a high bill of Rs. 21,279/- for 1247 units in the month of Aug. 2023 as per actual reading on the meter. The meter of Pal Mohan Make (No.08203305387) was checked on 25.9.2023 with the Accucheck machine at site in the presence of the consumer. The Test Results of the meter were found in order. The consumer's connected load was found

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai




as 5-Tubelights, 5-Lamps, 2-Fans, 1-Iron, 1-A.C, 1- Geyser and other electric points. The consumption pattern of the Appellant as per CPL is tabulated as below:

Year	2020-21	2021-22	2022-23	2023-24
Month	Cons. (Units)	Cons. (Units)	Cons. (Units)	Cons. (Units)
Apr	45	114	80	37
May	45	89	67	6
Jun	45	61	88	6
Jul	133	36	90	40
Aug	40	75	64	1247
Sep	76	42	52	50
Oct	45	69	64	54
Nov	52	71	77	71
Dec	47	53	67	46
Jan	61	68	51	60
Feb	60	73	42	57
Mar	77	45	60	49
Yearly Total	726	796	802	1723
Avg./month	61	66	67	144

5. The Appellant contended that the meter might have recorded abnormal consumption in the month of Aug. 2023 due to suspected spike of a voltage surge in the rainy season. The Respondent did not submit MRI report of the meter, and hence this possibility cannot be ruled out, especially considering the failure of Real Time Clock of the meter. The Appellant also denied the possibility of unauthorized tapping of power supply at the consumer end as no function had happened in the society during the disputed period. Even if the assessment is done on the basis of connected load, it will go up to at the most 400 units and not beyond that. The Applicant does not agree with the test results received as per the Accucheck meter testing, and also the testing results of meter testing Laboratory.

6. On the other hand, the Respondent refused the possibility of jumping of the meter due to voltage surge. Static meters are designed for absorbing voltage spikes in the system, and

  
 (Dilip Dumbre)  
 Secretary  
 Electricity Ombudsman Mumbai




have to go in for various types of tests during the process of manufacturing as per Indian Standards before starting mass production. The Respondent has stressed the possibility of unauthorized tapping of the meter in the Society, and/ or defective electric gadgets of the Appellant, which might have been attended to in the meantime. The said meter was also tested at the meter testing Laboratory on 06.11.2023 and the meter test results were found in order.

7. There are many factors which may increase electricity consumption, including poor efficiency and poor maintenance of electric gadgets as well as extensions of supply. A meter is installed for recording accurate consumption. There is no scientific reason or tendency for a digital meter to run fast for a specific period and to work normally or accurately in other periods. The meter was installed at the Society's meter Room, and the Society is the Trustee for the meter cabin. The meter testing reports also found the meter in order. Thus, we must assume that the meter reading, when finally recorded, is true and accurate.

8. In the hearing, the Respondent was asked for the assessed monthly consumption pattern of the Appellant considering load of the Appellant as per guidelines issued by the Respondent for calculation of assessed consumption. The Respondent admitted that the assessed consumption would be at the most 400 units per month. However, the Respondent declined the possibility of settlement due to limited power at their level.

9. Considering various angles of the case, in order to ease the financial burden of the Appellant, we suggest that the recorded consumption of Aug. 2023 should be considered as accumulated consumption, and the same should be split up over a longer period of 24 months, to give slab benefit. The initial reading in **Sep. 2021** was 4490 kWh and the current reading in **Aug. 2023** was 7049 kWh. The Appellant has thus consumed 2559 units over 24 months. The average consumption per month would be 107 units per month. Hence the Respondent is directed as below:

- a. To revise the bill of the Appellant, considering the consumption of 107 units per month for the period from Sep. 2021 to Aug. 2023.


  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



- b. Credit be passed on in the Appellant's ensuing bill, as the Appellant has already paid the disputed bill of Aug. 2023 under protest.
- c. The compliance report be submitted within a period of two months from the date of issue of this order.

10. The instant Representation is disposed of accordingly.

Sd/  
(Vandana Krishna)  
Electricity Ombudsman (Mumbai)

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai

