

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 83 OF 2024

In the matter of high billing

The Chairman Riddhi Siddhi Tower (B Wing),.....Appellant
(Consumer No. 171541590373)

V/s.

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

Appearances:

Appellant : 1. Bhausahab Bhawar, Chairman
2. Shrikant Jadhav, Secretary
3. Vishwajeet Kadam, Member

Respondent: 1. Atul Deokar, Executive Engineer, Bhosari Dn.
2. Somnath Mane, Addl. Executive Engineer
3. S. J. Murkute, Asst. Engineer


Coram: Vandana Krishna [IAS (Retd.)]

Date of hearing: 4th July 2024

Date of Order : 23rd July 2024

ORDER

This Representation was filed on 25th 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 28th February 2024 passed by the Consumer Grievance Redressal Forum, Pune Zone


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Secretary
Electricity Ombudsman Mumbai



(the Forum). The Forum partly allowed the grievance application in Case of 119 of 2022. The operative part of the order is as below:

- 2) *The Respondent is directed to issue the revised bill for the period of 24 Months with retrospective effect excluding DPC and Interest.*
- 3) *The Respondent is directed to initiate the action against all the concerned working at that time for not monitoring the monthly readings to avoid RNT, Faulty and Inaccessible status.*

2. Aggrieved with the order of the Forum, the Appellant filed this Representation. An e-hearing was held through video conference on 4th July 2024. Parties were heard at length. The Respondent MSEDCL filed its reply on 31st May 2024. Its submissions and arguments are stated first for easy understanding as follows: - *[The Electricity Ombudsman's observations and comments are recorded under 'Notes' in brackets where needed.]*

- (i) The Appellant is a residential Consumer with Connection No. 171541590373 from 04/07/2016 for the purpose of sewage water treatment plant. Details of the electric connection are as below:

Table 1:

Name of Consumer	Consumer No.	Address	Sanct. Load	Date of Supply	Purpose
The Chairman Riddhi Siddhi Tower (B Wing)	171541590373	SR No.26,27 Charholi Phata, Pune	5 KW	07.04.2016	Sewage Water Treatment Plant

- (ii) The important abstracts of Consumer Personal Ledger (CPL) of the Appellant are charted as below: *[Note: The CPL Chart is prepared by this office as per data of the Respondent]*



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Table 2:


Year	2016-17			2017-18			2018-19			2019-20		
Month	Current Reading in CPL	Cons.	Meter Status	Current Reading in CPL	Cons.	Meter Status	Current Reading in CPL	Cons.	Meter Status	Current Reading in CPL	Cons.	Meter Status
Apr				2550	300	Normal	3292	200	Faulty	3292	200	Faulty
May				2800	250	Normal	3292	200	Faulty	3292	200	Faulty
Jun				3100	300	Normal	3292	200	Faulty	3292	500	Faulty
Jul	0	135	R.N.A	3100	283	Inaccessible	3292	200	Faulty	3292	500	Faulty
Aug	100	100	Normal	3100	283	Inaccessible	3292	200	Faulty	3292	500	Faulty
Sep	350	250	Normal	3100	283	Inaccessible	3292	200	Faulty	3292	500	Faulty
Oct	700	350	Normal	3292	192	Normal	3292	200	Faulty	3292	500	Faulty
Nov	950	250	Normal	3292	48	Inaccessible	3292	200	Faulty	3292	500	Faulty
Dec	1299	349	Normal	3292	48	Inaccessible	3292	200	Faulty	3292	500	Faulty
Jan	1600	301	Normal	3292	48	Inaccessible	3292	200	Faulty	5233	1941	Normal
Feb	1950	350	Normal	3292	800	Faulty	3292	200	Faulty	5233	980	Inaccessible
Mar	2250	300	Normal	3292	200	Faulty	3292	200	Faulty	5233	980	Inaccessible
Year	2020-21			2021-22			2022-23			2023-24		
Month	Current Reading in CPL	Cons.	Meter Status	Current Reading in CPL	Cons.	Meter Status	Current Reading in CPL	Cons.	Meter Status	Current Reading in CPL	Cons.	Meter Status
Apr	5233	980	R.N.T.	6200	980	Inaccessible	6482	27	R.N.T.	6482	500	R.N.T.
May	5233	980	R.N.T.	6200	80	Inaccessible	6482	27	R.N.T.	6482	500	R.N.T.
Jun	5233	980	R.N.T.	6200	80	Inaccessible	6482	27	R.N.T.	6482	500	R.N.T.
Jul	5233	980	Inaccessible	6200	80	Inaccessible	6482	27	R.N.T.	6482	500	Locked
Aug	5233	980	Inaccessible	6200	80	R.N.T.	6482	500	R.N.T.	6482	500	R.N.T.
Sep	5233	980	Inaccessible	6400	200	Normal	6482	500	R.N.T.	6482	500	Inaccessible
Oct	5233	980	Inaccessible	6472	72	Normal	6482	500	R.N.T.	102865	96383	Normal
Nov	5233	980	Inaccessible	6472	46	R.N.T.	6482	500	R.N.T.	102865	8031	Inaccessible
Dec	5233	980	Inaccessible	6482	10	Normal	6482	500	R.N.T.	102865	8031	Locked
Jan	5233	980	Inaccessible	6482	1884	R.N.T.	6482	500	R.N.T.	102865	8031	Inaccessible
Feb	5233	967	R.N.T.	6482	27	R.N.T.	6482	500	R.N.T.	102890	25	Normal
Mar	6200	980	Normal	6482	68	R.N.T.	6482	500	R.N.T.	102890	6	Locked

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- (iii) The Appellant was billed with “Normal” Status for the period from August 2016 to June 2017. Thereafter the Appellant was not correctly billed with various status of billing as Reading Not Available (R.N.A.), Locked, Inaccessible, etc. Status for the period from **Jul. 2017 to Sep. 2023**. This resulted in accumulated consumption on the meter. The meter reading was correctly read as 1,02,865 KWH only in Oct. 2023. The reading of Dec. 2021 was taken as 6482 units. The Appellant was billed for Rs. **14,20,480/-** for **96383** units (1,02,865-6,482) for 22 months for the period from Jan. 2022 to Oct. 2023. **The Appellant did not pay any bill from Feb. 2021 onwards.**
- (iv) The FIR (First Intimation Report) No. 0476 was lodged against Sunrise Enterprises (Billing Reading Agency) on 03/08/2022 as offender for bad performance, i.e. not taking regular readings.
- (v) The Appellant filed a grievance in the Forum on 06/11/2023. The Forum by its order dated 28/02/2024 has partly allowed the grievance application. The operative part of the order is produced in the First Para.
- (vi) The Appellant did not inform the Respondent that they were receiving average bills, except one letter dated 18/06/2019 which did not give any details. The Appellant has consumed the electricity, and they are bound to pay for it as per actual consumption of the electricity.
- (vii) The meter of the Appellant was removed on 02/11/2023 for testing purpose. The meter of the Appellant was tested in Testing Laboratory on 03/11/2023 and found in order. The said meter was re-fixed on 30/12/2023 at meter box of the Appellant. The average billing (when the meter was not on site) charged by the computerised system was withdrawn in toto. The Appellant is habitual for shifting the load from one connection to other connection, and hence there is less consumption on this particular connection at present.
- (viii) The bill of the Appellant was reduced / revised for Rs. 2,60,255/- considering consumption of 2,80,056 units [average consumption of 1169 units per month for 24 months (Nov. 2021 to Oct. 2023)]. An amount of and Rs. 11,60,225/- (=14,20,480-2,60,255) was withdrawn from the bill of the Appellant.


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(ix) In view of the above-mentioned facts, it is requested that the representation of the Appellant be rejected.

3. The Appellant's submissions and arguments advanced in the hearing are stated as below:

- (i) The Appellant is a registered Co-operative Housing Society Ltd. from 16/10/2017. The Appellant has a separate electric connection for Sewage Water Treatment Plant. The details of electric connection No. 171541590373 are charted in Table 1.
- (ii) The meter of this connection was not in use from April 2018 onwards when the Developer handed over to the Society. At present there is least load of auxiliary supply of the Generator.
- (iii) The Appellant-Society filed a complaint of average billing on 18/06/2019. However, the Respondent did not take any action in 2019.
- (iv) The Appellant Society has paid all the bills received till date. The Appellant received credit bills from March 2021, hence the question did not arise to pay any bills. But suddenly in Oct. 23, the Appellant received a high bill of Rs. 14,20,480/- which was abnormal and not accepted by the society.
- (v) The Appellant filed a grievance application in the Forum on 06/11/2023. The Forum passed its order on 28/02/2024, as mentioned in the First Para. The Forum in its order has criticized the Appellant Society for not paying any bills from Sep. 2021 onwards. However, there were credit bills, and hence it was not necessary to pay the same.
- (vi) The Appellant did not receive revised bill till date. The Respondent removed the meter from the Society in Oct. 23 without any prior notice.
- (vii) In view of the above, the Appellant prays that the Respondent be directed
 - a. to waive of the excess bill and to withdraw the interest & delayed payment charges which are levied.
 - b. to grant suitable instalments without any interest and delayed payment charges.

4. During the course of the hearing, the Appellant was directed to pay Rs. 50,000/- immediately towards part payment, which was assured by the Appellant.


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5. The Appellant as well as the Respondent requested orally in the second week of July 2024 for further two-weeks' time, since they had decided to reach an amicable settlement in the instant representation. The Appellant by its email dated 19/07/2024 has informed that they have paid the revised bill as per the CGRF order. The Appellant paid the outstanding dues of Rs.2,63,200/- on 19/07/2024. The Appellant requested this office to adjust the amount of Rs.25,000/- taken as deposit in its ensuing bill. Hence, this representation be withdrawn.

Analysis and Ruling

6. In view of the above facts, this authority has accepted the withdrawal of the representation. The Representation is disposed of accordingly.

7. The secretariat of this office is directed to refund Rs.25000/- taken as deposit with the Respondent by adjusting in the Appellant's ensuing bill.

Sd/
(Vandana Krishna)
Electricity Ombudsman (Mumbai)


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

