

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 13 OF 2025

In the matter of new connection and outstanding dues of previous consumer

Rakesh Kumar AgarwalAppellant
(Consumer No.170020259631)

V/s.

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

Appearances:

Appellant : Rakesh Kumar Agarwal

Respondent: 1. Ravindra Bundile, Executive Engineer Bundgarden Dn.
2. Ramchandra Londhe, Addl. Ex. Engineer, Hadapsar II, Sub-Dn.


Coram: Vandana Krishna [IAS (Retd.)]

Date of hearing: 14th May 2025

Date of Order: 21st May 2025

ORDER

This Representation was filed on 3rd March 2025 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the Order dated 31st December 2024 in Case No. 230 & 235 of 2024 passed by the Consumer Grievance Redressal


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Forum, MSEDCL, Pune Zone (the Forum). The Forum by its order partly allowed the grievance of the Appellant. The operative part of the order is as below:

“2. The Respondent is directed to give all benefits of PD Amnesty Scheme -2024 to the Complainant and credit the excess paid amount against PD Arrears in the bill.


3. The Respondent is directed to issue new connection /reconnection within 30 days after payment of all dues as per MERC Regulations.”

[Note: From this wording; it seems that the Forum left the decision to MSEDCL, whether to grant a reconnection, or a new connection.]

2. The Appellant has filed this Representation against the order passed by the Forum. He has basically demanded a reconnection instead of a new connection, as this would avoid fresh service connection charges amounting to Rs.12,853/-. An e-hearing was held on 14.05.2025 through Video Conference. Parties were heard at length. The Respondent’s submissions and arguments are stated as below. *[The Electricity Ombudsman’s observations and comments are recorded under ‘Notes’ where needed.]*

- (i) The Appellant submitted an online application for a new residential connection via the MSEDCL Web Portal on 25.08.2024 (Application No. 570057853).
- (ii) The Respondent carried out an inspection of the premises immediately. During the inspection, it was observed that the Appellant had purchased the property in 2024. An old permanently disconnected connection was found in the premises, and the details of this PD connection are summarized below:

Table 1:


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Details of PD Consumer							
Name of Original Consumer	Consumer No.	Address	Date of Supply	Date of P.D.	Outstanding Dues (Rs.)	Deposit (Rs.)	Revised Bill as per PD Amnesty Scheme
Lokmat Media Pvt. Ltd.	170017928425	Flat No. 103, H Building, Amit Colori, S.No. 60, Haveli Pune: 412308	25.01.2019	20.01.2023	4144.09 (Last Bill paid on 10.10.2021)	2000/-	Rs. 1560/- paid on 06.09.2024

- (iii) After the connection was made P.D. in January 2023, it seems that the said premises was taken over by a bank, and was subsequently auctioned to recover its dues. The Appellant acquired this property through the bank auction in 2024. *[Note: - It seems that the bank did not apply for a new electricity connection, so MSEDCL did not have the opportunity to recover the P.D. dues from the bank.]*
- (iv) The Appellant was informed that the premises had outstanding arrears, which must be settled before processing the new residential connection in accordance with Regulation 12.5 of the Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021 (Supply Code & SOP Regulations 2021) which is reproduced below:

*“12.5 Any charge for electricity or any sum other than a charge for electricity due to the Distribution Licensee which remains unpaid by a deceased Consumer or the **erstwhile owner / occupier of any premises**, as a case may be, shall be a charge on the premises transmitted to the legal representatives / successors-in-law or **transferred to the new owner / occupier of the premises**, as the case may be, and **the same shall be recoverable by the Distribution Licensee as due from such legal representatives or successors-in-law or new owner / occupier of the premises, as the case may be.**”*

In view of above, the Appellant is entitled to pay the outstanding dues and thereafter the new connection can be released in the same premises.

- (v) The Respondent advised the Appellant to clear these dues under the “Mahavitaran Abhay Yojana 2024”, which provided a 100% waiver on interest and delayed payment charges, with no further interest accruing after the PD date. The circular of “Mahavitaran Abhay


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Yojana 2024” dated 29.08.2024 is kept on record. The Appellant opted to settle the PD arrears under the “Mahavitaran Abhay Yojana 2024”, leading to a revised bill amount of Rs.1560/- which the Appellant paid on 06.09.2024 as detailed in Table 1.

- (vi) The Appellant initially applied for a single-phase connection. However, due to an oversight at the local level, the Demand Note was mistakenly generated for a three-phase connection with infra tag. As a result, a new application was resubmitted for a single-phase connection with a connected load of 3 KW. A comparison of both application details and Demand Notes are provided below:

Table 2:

Residential Connection	3 Phase with Sanct. Load of 5 KW	1 Phase with Sanct. Load of 3 KW
Application Date	25.08.2024	07.10.2024
Sanctioned Date	25.08.2024	07.10.2024
Estimate Approved	06.10.2024	07.10.2024
Processing Fee	120	120
Goods & Service Tax	22	22
Description	Amount (Rs.)	Amount (Rs.)
Security Deposit	4500	3000
Service Connection Charges	14940	8230
Goods & Service Tax	2689	1481
Total Amount	22129	12711
Grand Total	22271	12853
Note : Rs. 12853/- was paid on 22.10.2024. The supply of the Appellant was released on same day i.e. 22.10.2024.		


- (vii) The Appellant raised a query regarding the delay in permanently disconnecting the supply when the amount of deposit of Rs.2000/- was used up. It was noted that the old consumer had outstanding arrears of Rs. 1680/- as of February 2020. Consequently, the supply was temporarily disconnected in February 2020 due to the unpaid dues, and a **TD (Temporary Disconnection) Tag** was recorded in the system. The old consumer paid the outstanding


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amount of Rs. 1680/- on 19.09.2020 but did not pay the required reconnection charges (about Rs.300/-). However, on special request, the supply was physically restored but the TD Tag remained in the system. The old consumer continued to receive bills based on actual consumption up to September 2021 but payments were made irregularly. The last bill paid was Rs. 1060/- on 10.10.2021 (dues for September 2021). Electricity consumption by the old consumer continued till January 2022, as consumption has been reflected in the Consumer Personal Ledger (CPL). Despite this, the TD Tag remained in the system. Finally, this supply for the old consumer No. 170017928425 was **permanently disconnected** on 20.01.2023, as detailed in Table 1. *[Note: The Respondent could not explain why the connection was not made P.D. after 6 months of T.D. (i.e. Feb.2020) or 6 months after the last bill was paid (10.10.21), or 6 months after the last month of consumption (Jan.2022). Even if we consider the last of these 3 dates, the connection should have been made P.D. latest by July 2022, so that fixed charges from July 2022 to Jan. 2023 could have been avoided.]* The PD arrears of Rs. 4144.09 of old consumer was subsequently revised to Rs.1560/- under “Mahavitaran Abhay Yojana 2024” and which was paid by the Appellant on 06.09.2024.

- (viii) The Appellant filed a grievance application in the Forum on 03.10.2024. The Forum by its order dated 31.12.2024 has partly allowed the grievance of the Appellant. The operative part of the order is produced in the First Para.
- (ix) As per Regulation 7.3 of Supply Code & SOP Regulations 2021, the agreement shall be deemed to be terminated upon the permanent disconnection of the Consumer or if the Consumer remains disconnected for more than six (6) months. Additionally, the Distribution Licensee shall continue to bill the applicable fixed charges to the Consumer up to the date of permanent disconnection.
- (x) The electricity supply for the previous consumer was permanently disconnected on 20.01.2023. The Appellant purchased the property in 2024 and applied for a new connection on 25.08.2024 after a period of about 19 months. Consequently, reconnection under the previous consumer number was not permissible since he has exceeded the six-month limit


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after permanent disconnection, and hence a fresh application is necessary from the Appellant. The Appellant applied for a new 3 KW single-phase connection on 07.10.2024, which was sanctioned on the same day. In compliance with the Demand Note dated 07.10.2024, the Appellant paid the required amount of Rs. 12,853/- on 22.10.2024, and the supply was duly released on the same day.

- (xi) The Appellant has misunderstood the fundamental provisions of the Supply & SOP Regulations 2021 and is presenting this case without citing any applicable legal statutes. Furthermore, the Appellant is making unwarranted criticisms which are not relevant to this representation.
- (xii) In view of the above, the Respondent requested to reject the Representation of the Appellant.

3. The Appellant's submissions and arguments are stated as follows: -

- (i) The Appellant purchased the said premises (Flat No. 103, H Building, Amit Colori) at a bank auction in the year 2024. The premises was closed for 4 years, had no active supply and the supply of old consumer No. 170017928425 was permanently disconnected 20.01.2023 due to non-payment of outstanding dues following the house owner's demise. *[Note: The old consumer was in the name of Lokmat Media Pvt. Ltd. and the supply to the premises was in use till Jan.2022 as per CPL].* The Appellant was asked to clear pending dues related to the old consumer of the locked house, which he accepted. The primary statistical details of the old consumer are charted in Table 1.
- (ii) The Respondent misinterpreted the Mahavitaran Abhay Yojana 2024. They continued to collect fixed charges until the meter was removed, despite the Amnesty Scheme mandating the waiver of all interest and fixed charges for the non-utilized period. *[Note: The MSEDCL Corporate Office has developed system software for the Amnesty Scheme, requiring the field officer to input the necessary data to generate the final revised bill.]*
- (iii) **A security deposit of Rs. 2000/- was held for the previous old consumer. The Respondent was obligated to permanently disconnect the old consumer once the limit**


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of Rs.2000/- was used up. There is no justification for imposing monthly fixed charges exceeding the security deposit on an unused, closed house, especially when the new buyer has already borne additional liabilities despite the provisions of the Amnesty Scheme. This contradicts the principles of natural justice. Therefore, it is essential to revise the bill from the date of temporary disconnection, at least from January 2022.

(iv) **Meter Reconnection vs. New Connection Charges**

(a) Despite the Respondent's survey confirming that a new electricity reconnection was required, the Appellant was compelled to pay Rs. 12,853/- on 22.10.2024 under the pretext of reconnection fees. *[Note: This is not reconnection charges, but new Service Connection charges.]* New connections require significant infrastructural efforts, such as transformer installation, justifying higher charges ranging from Rs. 10,000/- to Rs. 25,000/-. **However, since the Appellant's case was clearly a reconnection, the necessity of imposing higher fees remains questionable.**

(b) The Respondent justified the charges, citing adherence to their guidelines. In response, the Appellant requested a review of the legitimacy of this claim. **If the Respondent classified his case as a new connection, then why was he also required to pay the dues of the old connection? Logically, it cannot be both—an old connection with outstanding liabilities and, at the same time, a new connection requiring infrastructure costs.** This inconsistency raises concerns about potential consumer exploitation.


(v) The Appellant initially applied for a single-phase connection on 25.08.2024. However, the Respondent purposefully issued a demand note of higher quotation of Rs.22,271/- on 06.10.2024. The quote was revised to Rs. 12853/- on 22.10.2024 when the Appellant protested. The Respondent confirmed that his account was flagged as **"infrastructure required,"** implying transformer installation was necessary which delayed his reconnection. The Appellant was advised to **request the Junior Engineer (JE) to remove this flag** to facilitate the reconnection. Could this have been the reason behind the **₹10,000**


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extra charge levied on him? He was informed that **had he applied through other means**, his connection would have cost merely Rs. **3,000** instead of the exorbitant amount of Rs. 12853/- he was forced to pay on 12.10.2024. *[Note: Actually, the Respondent has no powers to change from 'new connection' to 'reconnection' after 6 months of PD, as the software generates the bill without allowing manual intervention.]*

- (vi) The Appellant filed a grievance application in the Forum on 03.10.2024. The Forum by its order disposed the grievance without giving any relief to the Appellant. The Forum failed to analyze the unjust charges of new connection along with liability of old consumer's outstanding dues as per the provisions of the Amnesty Scheme. The Appellant's demand was for a reconnection; however, the Forum allowed a new connection without any legality.
- (vii) As MSEDCL operates as a monopoly, electricity remains a necessity, meaning consumers are bound to comply even if unjust charges are imposed.
- (viii) The Appellant's electric connection was delayed by two months, and the Respondent is legally obligated to compensate for the resulting rent expenses of Rs. 29,000/-.
- (ix) In view of the above, the Appellant prays that the Respondent be directed
 - a) to refund the new connection charges, which are approximately 100 times higher than the reconnection charges, and revise them accordingly.
 - b) to review the Amnesty Scheme to ensure a fair and accurate revision of the Appellant's previous electricity bill.
 - c) Compensate the Appellant for the rent expenses of Rs. 29,000/- incurred due to the deliberate delay in providing a new connection
 - d) to provide suitable compensation for the mental agony and harassment suffered by the Appellant.


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Analysis and Ruling:

4. Parties were heard at length. The documents on record were perused. The Appellant purchased a Flat No. 103, H Building, Amit Colori, S.No. 60, Haveli Pune in 2024. Prior to the purchase, the flat had remained unoccupied for several months since Feb.2022. Electricity Consumption was up to Jan.22 as per the CPL. On 25.08.2024, the Appellant submitted an online application for a new residential electricity connection via the MSEDCL Web Portal. Upon inspection, the Respondent discovered the old permanently disconnected (PD) connection in the premises, the details of which are tabulated in Table 1. At the time of PD on 20.01.2023, the outstanding arrears stood at Rs. 4,144.09. The security deposit of Rs. 2,000/- was adjusted by the Respondent against these arrears, reducing the outstanding amount to Rs. 2,144.09. The Appellant subsequently availed benefit under the “Mahavitaran Abhay Yojana 2024,” whereby the PD bill was revised to Rs. 1,560/-, which was duly paid by the Appellant on 06.09.2024. This bill apparently included fixed charges up to the date of P.D.

5. The Appellant initially applied for a single-phase connection on 25.08.2025. However, due to an error by the Respondent, a Demand Note was mistakenly generated for a three-phase connection with an infrastructure tag. Upon realizing the mistake, the Respondent corrected it, and a new application for a single-phase connection with a connected load of 3 KW was resubmitted on 07.10.2025. A comparative analysis of both applications and their corresponding Demand Notes is provided in Table 2. The revised demand notice of Rs. 12,853/- was paid on 22.10.2024, and the supply was released the same day, i.e., 22.10.2024.

6. The Appellant has raised this grievance for being forced to pay new connection charges of Rs.12,853/-, on the ground that actually no new infrastructure (such as transformer installation) was required. Also, that since he cleared the P.D. dues of the previous consumer, he should be entitled to get the same old connection as a ‘reconnection’. Thirdly that ‘fixed charges’ were unjustly levied up to the time of the delayed P.D.


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7. **Framing of Issues for Consideration:**


- **Issue No. 1:** Whether the Appellant is legally obligated to settle the outstanding arrears (P.D. amount) associated with the purchased Flat No. 3?

Finding: The issue is answered in the AFFIRMATIVE.

The Appellant acquired Flat No. 103 in 2024, where outstanding dues remained unpaid by the previous consumer (No. 170017928425), as detailed in Table 1. Pursuant to Regulation 12.5 of the Supply Code & SOP Regulations, 2021 (as referenced in Para 2(iv)), any charge for electricity or any other sum due to the Distribution Licensee that remains unpaid by a deceased consumer or the erstwhile owner/occupier shall constitute a charge on the premises. Such dues are transmitted to legal representatives, successors-in-law, or **the new owner/occupier of the premises**, as applicable, and are recoverable by the Distribution Licensee. Based on the regulatory framework, the issue stands answered in the affirmative, affirming the Appellant's obligation to discharge the dues in accordance with the governing legal norms.

- **Issue No. 2: Whether the P.D. arrears amount was calculated correctly?**

The old consumer had outstanding arrears of Rs. 1680/- as of February 2020, resulting in a temporary disconnection and a TD Tag in the system. The old consumer cleared the dues on 19.09.2020 but did not remit the reconnection charges. Nevertheless, upon special request, the supply was restored, although the TD Tag remained unchanged. Bills were generated based on actual consumption until September 2021, the last being Rs. 1060/- on 10.10.2021. Electricity consumption continued up to January 2022, despite the persisting TD Tag. In accordance with the applicable regulatory framework, the Respondent was obligated to permanently disconnect the consumer after six months of TD Status, i.e., by July 2022. However, the supply was ultimately permanently disconnected on 20.01.2023. Consequently, excess billing occurred from **August 2022 to January 2023** on account of


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fixed charges. This necessitates a refund to the successive new consumer who cleared the P.D. dues, in compliance with regulatory provisions governing billing accuracy and consumer rights. **The issue is answered accordingly.**

➤ **Issue No. 3: Whether the Appellant was entitled to a reconnection rather than a fresh /new connection in the said premises, with its consequent service connection charges?**

Finding: The issue is answered in the **AFFIRMATIVE**.


The electricity supply for the previous consumer was permanently disconnected on 20.01.2023. The Appellant purchased the property in 2024 and applied for a new connection on 25.08.2024 after a period of about 19 months, exceeding the six-month limit following permanent disconnection. The Regulation 7.3 of Supply Code & SOP Regulations 2021 is reproduced below:

“The agreement shall be deemed to be terminated upon permanent disconnection of the Consumer or where the Consumer remains disconnected for a period of more than Six (6) months:

Provided that the termination of agreement is without prejudice to the rights of the Distribution Licensee or of the Consumer under the Act for recovery of any amounts due under the agreement:

Provided further that Distribution Licensee shall continue to bill applicable fixed cost to the Consumer up to the date of permanent disconnection.”

The Appellant applied for electricity supply after a period of about 19 months from the date of PD i.e. 20.01.2023. The supply could not be “reconnected” since the prescribed limit of 6 months was completed. Hence, the Appellant is not entitled for reconnection, and is eligible only for a new connection.


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8. The Appellant has raised an issue that fresh service connection charges should not be levied, since MSEDCL did not have to set up any new infrastructure, such as a transformer. However needless to mention that MERC has finalised the rules and regulations in this regard after taking into account this aspect. The Respondent has no powers to modify or relax the regulations, which require a new connection after 6 months of P.D.

9. The MSEDCL Corporate Office has developed a system software for Mahavitaran Abhay Yojana 2024, requiring field officers only to input necessary data for generating the final revised bill. This was done to ensure that no manual 'manipulation' was done in the billing calculations. Accordingly, the bill revision under Abhay Yojana was correctly executed.


10. Based on the foregoing, the Forum's order is principally upheld, subject to minor modifications. The Appellant's representation is allowed to the extent specified below:

The Respondent is directed to:

- a) Refund the excess billing charged due to fixed charges recovered from August 2022 to January 2023 i.e. 6 months.
- b) Other prayers of the Appellant are rejected.
- c) The compliance report be submitted within a period of two months from the date of issue of this order.

11. The representation is disposed of accordingly.

Sd/
(Vandana Krishna)
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