

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 104 OF 2025

In the matter of billing and installation of smart meter

Bharat Ashok Dhongade.Appellant
(Cons. No. 020111214591)

V/s.

Maharashtra State Electricity Distribution Co. Ltd. Kalyan Rural Dn..Respondent
(MSEDCL)

Appearances:

Appellant : Bharat Ashok Dhongade

Respondent : 1. Vinay Kale, Executive Engineer, Kalyan Rural Dn.
2. Nilesh Shirke, Addl. Executive Engineer,
3. Vishal Sanap, Asst. Accountant


Coram: Vandana Krishna [IAS (Retd.)]

Date of hearing: 3rd December 2025

Date of Order : 5th January 2026

ORDER

This Representation was filed on 6th November 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 8th October 2025 in Case No.70 of 2025 passed by the Consumer Grievance Redressal Forum, MSEDCL, Kalyan Zone (the Forum). The Forum, by its order, rejected the Appellant's grievance. The Forum observed that Meter (No. 85818035) was tested on site by "Accucheck" on 15.04.2021 as per Consumer's request and was found functioning correctly. However, despite the meter being in proper working condition, the Appellant was mistakenly billed under


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“Faulty” status for the months of December 2024 and March 2025. The Respondent subsequently revised both bills and has given appropriate credit. In view of these facts, the Forum concluded that the Appellant’s grievance has been duly and sufficiently addressed.

2. Aggrieved by the order dated 08.10.2025 passed by the Forum, the Appellant has filed this representation. An e- hearing was held on 3rd December 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 is a residential consumer since 01.07.2019. The details of the electric connection are provided in Table 1 as below:


Table 1:


Appellant	Consumer No.	Address on Bill	Sanct. Load	Date of Supply	Wrongly billed under 'Faulty' status	Bill Revision
Bharat Ashok Dhongade	020111214591	Flat No-801, Building No-24, Regency Sarvam, Kalyan, Thane, Kalyan-Dombivli (M Corp.)	2 KW	01.07.2019	In the month Dec.2024 (173 Units) and Mar.2025 (216 Units)	Credits of Rs.2560.84 on 27.01.2025, Rs.819.27 on 15.04.2025, and Rs.2,270.54 on 05.05.2025 were granted as per the bill revision report.

Preamble – Policy for Smart Meters: -

- (ii) The Respondent relied on the Ministry of Power, Government of India Notification dated 17th August 2021 (F. No. 23/35/2019-R&R), issued under Clause 4(1) (b) of the CEA (Installation and Operation of Meters) Amendment Regulations, 2019 read with Section 55(1) and Section 177(2) (c) of the Electricity Act, 2003, prescribing the timelines for mandatory replacement of existing meters with Smart Meters having a pre-payment feature. The relevant portion of the notification is reproduced below:

All consumers (other than agricultural consumers) in areas with communication network, shall be supplied electricity with Smart Meters working in prepayment mode, conforming to relevant IS, within the timelines specified below:


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- (i) *All Union Territories, electrical divisions having more than 50 % consumers in urban areas with AT&C losses more than 15% in financial year 2019-20, other electrical divisions with AT&C losses more than 25% in financial year 2019-20, all Government offices at Block level and above, and all industrial and commercial consumers, shall be metered with smart meters with pre-payment mode by December 2023:*

Provided that the respective State Regulatory Commission may, by notification, extend the said period of implementation, giving reasons for doing so, only twice but not more than six months at a time, for a class or classes of consumers or for such areas as may be specified in that notification.

- (ii) ***All other areas shall be metered with smart meters with pre-payment mode by March 2025:***


Provided that in areas which do not have communication network, installation of pre-payment meters, conforming to relevant IS, may be allowed by the respective State Electricity Regulatory Commission.

All consumer connections having current-carrying capacity beyond that specified in relevant IS, may be provided with meters with smart meters having AMR facility.

- (iii) As per the directives issued by the Government of India, all existing electricity meters are to be upgraded to Smart TOD Meters under the Revamped Distribution Sector Scheme (RDSS). The meter replacement work has been entrusted to an authorized AMISP (Advanced Metering Infrastructure Service Provider). Accordingly, the meter replacement work is being carried out through authorized agencies under the supervision of the Maharashtra State Electricity Distribution Company Limited (MSEDCL).

Key Benefits of Smart Meters:

- **Free installation:** The smart meter will be installed free of cost.
- **Time-of-Day (TOD) Tariff:** The consumer can avail of tariff advantage for certain times of the day, as per Commission's Tariff order in force.
- **Real-time Energy Monitoring:** You can track your electricity consumption, voltage, current, and load in real time via the MAHA VIDYUT mobile app. Daily


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electricity consumption can be viewed, helping you manage your energy usage more efficiently.


- **Accurate & Automatic Billing:** Meter readings will be collected automatically through Cellular communication, eliminating the need for manual readings. Because of this, human mistakes in meter reading will be eliminated.
- **Solar Net Metering:** Consumers with solar installations can conveniently view their Export-Import energy data on the App.
- **Accuracy of meters:** Smart meters are tested in labs approved by Govt., ensuring high accuracy.

Submissions:

- (iv) The billing details of the Appellant, as reflected in the Consumer Personal Ledger (CPL), are tabulated below in Table 2:

Table 2:

Year	2020-21		2021-22		2022-23		2023-24		2024-25		2025-26	
Month	Cons. (Units)	Meter Status	Cons. (Units)	Meter Status	Cons. (Units)	Meter Status	Cons. (Units)	Meter Status	Cons. (Units)	Meter Status	Cons. (Units)	Meter Status
Apr	67	R.N.T.	146	Normal	129	Normal	119	Normal	184	Normal	306	Normal
May	67	R.N.T.	157	Normal	145	Normal	159	Normal	174	Normal	170	Normal
Jun	67	R.N.T.	142	Normal	151	Normal	166	Normal	185	Normal	198	Normal
Jul	639	Normal	127	Normal	108	Normal	143	Normal	180	Normal	168	Normal
Aug	179	Normal	111	Normal	125	Normal	157	Normal	182	Normal	169	Normal
Sep	174	Normal	120	Normal	123	Normal	165	Normal	189	Normal	190	Normal
Oct	157	Normal	123	Normal	117	Normal	145	Normal	164	Normal	173	Normal
Nov	136	Normal	93	Normal	82	Normal	166	Normal	166	Normal	182	Normal
Dec	122	Normal	109	Normal	113	Normal	141	Normal	173	Faulty		
Jan	126	Normal	93	Normal	119	Normal	131	Normal	328	Normal		
Feb	101	Normal	98	Normal	124	Normal	123	Normal	155	Normal		
Mar	122	Normal	54	Normal	133	Normal	127	Normal	216	Faulty		
Note :	1. The accumulated consumption for a period of four months in July 2020 . The system has already bifurcated this consumpition into four separate months and granted credit on the basis of average billing for the period from April 2020 to June 2020. 2. The L&T make meter (Sr. No. 85818035) was in service prior to 2020. The said meter was replaced on 12.03.2025 with a new Genus make Smart Meter (Sr. No. M42510213460) under the Smart Meter Mass Meter Replacement Scheme.											


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Billing Details Based on Consumption:

- (v) The accumulated consumption for a period of four months of the Covid lockdown period was billed in July 2020. The system has already bifurcated this consumption into four separate months and granted credit on the basis of average billing for the period from April 2020 to June 2020. The Appellant was billed on the basis of actual meter readings for the period from March 2020 to November 2024. During this period, there were no billing discrepancies or occasions warranting any revision of bills.

The Bill revision details of the Appellant are tabulated below:

Table 3:


Month	Original Bill issued (Units)	Bill Amount (Rs.)	Revised Bill (units)	Revised Bill (B-80) Credit Amount (Rs.)
Dec. 2024	173	1,920/-	164	(-)2560.84
Jan. 2025	328	4,210/-	164	
Mar. 2025	216	2460/-	155	(-) 819.27
Apr.2025	306	3880/-	151	(-) 2270.54


(vi) **Billing of Dec. 2024 & Jan.2025**

The Appellant was billed for 173 units in December 2024 with the meter status marked as “Faulty” due to non-display on the meter, which may have occurred because of a supply interruption at the time of meter reading. In the subsequent month, the meter display was found to be functioning properly, and accordingly, an accumulated bill for 328 units was issued for January 2025. This bill was revised, as shown in Table 3, by treating the 328 units as the combined consumption for December 2024 and January 2025. Upon the consumer’s request, the combined bill was bifurcated on a month-wise basis, and a revised and corrected bill amounting to Rs. 1,640/- was issued on 27.01.2025.

(vii) **Billing for March and April 2025:**


In March 2025, again the bill was issued on Faulty Status for 216 units amounting to Rs. 2,460/-. Subsequently, the old meter was replaced with a new smart meter (Meter No. M42510213460) on 12.03.2025. Based on the final reading of the old meter (9,072 kWh) and the consumption recorded up to 18.04.2025 (199 units), the April 2025 bill


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was issued for 306 units, amounting to Rs. 3,880/-. Thereafter, the bills for March and April 2025 were proportionately recalculated, and a corrected consolidated bill of Rs. 3,270/- was issued.

- (viii) **Billing for June 2025 onwards:** For the billing period 19.05.2025 to 17.06.2025, the meter recorded 198 units, and accordingly a bill amounting to Rs. 2,150/- was issued. The said bill is accurate and strictly as per the meter records.
- (ix) The Appellant filed a grievance before the Forum on 11.07.2025. The first hearing was scheduled on 06.08.2025; however, the consumer remained absent. Accordingly, the next hearing was scheduled on 13.08.2025. During the said hearing, **the Forum directed MSEDCL to install a series meter alongside the existing smart meter.** The said direction was received via email on 13.08.2025 at 2:51 PM.
- (x) **Non-cooperation by the Consumer for Installation of Series Meter:** When MSEDCL staff visited the consumer's premises for installation of the series meter, the consumer refused permission and insisted on prior written approval. Consequently, an email dated 21.08.2025 was sent to the consumer seeking consent. In response, the consumer stated that they had "legal objections" to the installation and did not permit the work.
- (xi) After examining the consumer's billing history, CPL, and daily consumption pattern, the Forum concluded that the electricity bills issued were correct, genuine, and as per records. Accordingly, the grievance was disposed of by order dated 08.10.2025.
- (xii) The Appellant's demand for refund of alleged excess billing along with interest @ 18% per annum is arbitrary, excessive, and unsupported by any provision of the Electricity Act, 2003, MERC Regulations, or applicable tariff orders. Interest, if any, is governed strictly by regulatory provisions and cannot be claimed as a matter of right. As per Regulation 7.8 of CGRF & EO Regulations 2020, a grievance beyond two years is time barred; however, the Appellant purposefully raising an issue of billing from 2020 is nothing but harassing the Respondent and wasting the valuable time of the Electricity Ombudsman. The Electricity Ombudsman has to take a serious view of this issue of the language of the Appellant and wasting time.
- (xiii) The meter of the Appellant was tested on site by Accucheck on 15.04.2021 as per the request of the Appellant. The test result (attached by the Appellant) was found in order.


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- (xiv) During an inspection carried out on 10.12.2025, the connected load at the Appellant's premises was found to be comprised of 4 tube lights, 4 fans, 1 television, 1 refrigerator, 1 mixer, 2 air conditioners, 4 CFLs, and 3 charging points, aggregating to a total connected load of 3.82 kW, as against the sanctioned load of 2 kW.
- (xv) The said load verification was conducted in the presence of the Appellant and in accordance with the directions of the Hon'ble Electricity Ombudsman (Mumbai).
- (xvi) **The demand for removal of the duly installed smart meter and reinstallation of a digital meter is contrary to the Smart Metering Policy**, statutory guidelines, and the approved Smart Meter Mass Replacement Scheme. The smart meter was installed following due procedure and remains valid and functional. The consumer has no right to insist on a particular type or make of meter.
- (xvii) In case the Appellant disputes the functioning of the Smart Meter, Regulation 15.6.2 provides a remedy by permitting a consumer, upon payment of prescribed testing charges, to seek testing of the meter's accuracy by the Distribution Licensee at its own or an approved laboratory; if the consumer disputes the test results, further testing may be carried out at an NABL-accredited laboratory at the consumer's cost, and if the meter is found inaccurate beyond prescribed limits, the Licensee is required to refund the test fee with applicable interest through adjustment in subsequent bills. The relevant regulation is reproduced below:

"15.6.2. The Consumer may, upon payment of such testing charges as may be approved by the Commission under Schedule of Charges can request the Distribution Licensee to test the accuracy of the meter by applying to the Distribution Licensee:

Provided that the Distribution Licensee may get the meter tested at its own laboratory or any other facility as may be approved by the Commission:

Provided further that if a Consumer disputes the results of testing carried out by the Distribution Licensee, the meter shall be tested at a National Accreditation Board for Testing and Calibration Laboratory (NABL) accredited laboratory chosen by the Consumer at the cost of the Consumer:

Provided further that in case of testing on the Consumer's request, if the meter is found to be beyond the limits of accuracy prescribed in the Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006 as amended


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from time to time, the Distribution Licensee shall refund the test fee along with interest for the period the fees has been held by the Distribution Licensee, at a rate equivalent to the Bank Rate of the Reserve Bank of India to the Consumer by adjustment in the subsequent bill:”

- (xviii) The allegation that MSEDCL indulged in “fraudulent billing” is strongly denied as false, defamatory, and devoid of any evidence. Bills were generated through the centralized billing system based on meter data, and no mala fide intent or manipulation is attributable to MSEDCL.
- (xix) In view of the above facts, it is evident that there is no deficiency in service on the part of MSEDCL. All actions taken were strictly in accordance with the Electricity Act, 2003, MERC Regulations, and approved procedures.
- (xx) In view of the above facts and submissions, the Respondent prays that the representation filed by the Appellant be rejected being false, frivolous, and devoid of merit.

3. The Appellant’s submissions and arguments are stated as below: -


- (i) The Appellant is a residential consumer of the Respondent, the particulars of which are set out in Table 1. From March 2020 onwards, the Appellant has been subjected to excessive and abnormal electricity bills. Prior to this period, the Appellant’s monthly consumption was consistently in the range of 60 to 120 units, and there was no change in usage pattern or addition of electrical load that could justify the sudden increase in billed units.
- (ii) The Appellant, vide inward letter dated 09.12.2020 duly received by MSEDCL, lodged a complaint stating that the electricity meter installed at the Appellant’s premises was running fast and required immediate replacement. Despite this specific complaint, the Respondent continued to issue inflated electricity bills, including a bill of Rs. 2,020/- for 174 units and another bill of Rs. 1,230/- for 157 units in Sep. and Oct. 2020 respectively. *[Note: This was the Covid period.]* These bills were grossly excessive, arbitrary, and unjustified, as there was no corresponding increase in electricity consumption at the Appellant’s premises. *[Note: This is the period of the old meter. The Appellant’s main prayer is for replacement of the new smart meter, which was installed in March 2025.]* Notwithstanding the complaint regarding the faulty meter, the same


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meter was allowed to remain in service and no corrective or remedial action was taken by the Respondent.


- (iii) Thereafter, the Appellant paid meter testing fees (as advised by the Respondent) on 24.03.2021. However, the meter was not properly tested on 15.04.2021 in the presence of the Appellant. Further, the Respondent failed to furnish a complete and authorized meter testing report and instead supplied an incomplete and inconclusive test report, thereby depriving the Appellant of any meaningful verification of the meter's accuracy.
- (iv) On 01.06.2021, the Respondent carried out testing of the meters installed in the common meter cabin, including the Appellant's meter, in the absence of the Appellant. Even thereafter, no authorized meter testing report or machine-generated test report statement was provided to the Appellant, despite repeated requests. This conduct on the part of the Respondent is arbitrary and contrary to the applicable regulations.
- (v) Aggrieved by the continued inaction and excessive billing, the Appellant filed a grievance before Forum on 11.07.2025. *[Note: It is not clear why the Appellant approached the Forum after a long lapse of more than 4 years.]* The Forum, by its order dated 08.10.2025, rejected the Appellant's grievance. The said order is one-sided and reflects a complete non-application of mind to the serious issues raised by the Appellant, including the allegation that the meter was deliberately manipulated, causing harassment and financial loss to the Appellant.
- (vi) The order dated 08.10.2025 passed by the Forum is one-sided, illegal, procedurally defective, and contrary to the provisions of the CGRF and EO Regulations, 2020. The Forum closed the matter in a hurried manner in a single hearing and proceeded to pass the final order without granting a reasonable opportunity to the Appellant. The Appellant had categorically informed the Forum that certain vital and material documents would be submitted at the next hearing; however, no second hearing was granted and the final order was issued abruptly. Such conduct is in clear violation of the settled principles of natural justice, particularly the doctrine of *Audi alter am partum*, which mandates that no adverse order shall be passed without affording both parties a fair and effective opportunity of being heard. The Appellant had also specifically requested copies of the audio and video recording of the hearing, or alternatively an accurate written transcript thereof, which constitutes essential and transparent proof of the proceedings. As per Section 57(1) of the Electricity Act, 2003


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and Regulation 8.6 of the CGRF and EO Regulations, 2020, consumers are legally entitled to obtain all records and information, and the denial of the same is arbitrary and unlawful. *[Note: There is no legal provision of providing audio / video recordings of proceedings, or its written transcript in court hearings. Such recordings are not even required to be maintained.]*


- (vii) The Appellant further alleges that his electricity meter was manipulated by the Respondent, as the Appellant was unable to access or view critical technical parameters such as Maximum Demand (MD), kVAh, voltage, current, load details, date and time stamping, and tamper events. The meter display showed a “stuck” status in Dec. 2024, thereby preventing transparency and verification of actual consumption. *[Note: This was the old meter, and not the new smart meter.]* This issue raises serious concerns under the Consumer Protection Act, the applicable MERC Regulations, and the Electricity Act, 2003. Despite the gravity of these allegations, the Forum failed to take any note of the same or to direct an independent technical examination of the meter. *[Note: The meter was replaced in March 2025.]*
- (viii) In this context, the Appellant had, in writing, sought various documents and reports from the Respondent, including the authorized meter testing report dated 01.06.2021 along with the machine-generated statement, five years meter reading and consumption data, meter status and fault report, load statement along with details of connected devices, load distribution statement, billing unit and reading verification statement, actual meter readings, the type of meter installed (digital or analog), details of assumed versus actual usage, and the meter testing and calibration certificate. However, the Respondent failed to furnish the said information in a complete and timely manner.
- (ix) It is further submitted that MSEDCL delayed the submission of the required information even in soft copy, which was provided only on 31.07.2025. The hard copy of the CPL and meter reading report was completely suppressed. *[Note: It is confirmed that the Respondent had already submitted the soft copy of the CPL from April 2020 onwards to the Appellant via email on 21.11.2025.]* Moreover, instead of furnishing information specific to the Appellant’s individual residential flat, MSEDCL submitted incomplete and collective Distribution Transformer Centre (DTC)-level data, labelled as “Day wise DP Reading Data”, to the legal forum. Such irrelevant and aggregated data further complicated the proceedings and misled the adjudicatory process. The



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Appellant was not granted any opportunity to file a rejoinder or to submit his detailed response to this material, and the Forum proceeded to p

- (x) .ass the final order, thereby causing grave prejudice to the Appellant.
- (xi) In view of the foregoing facts and circumstances, the Appellant humbly prays that this Hon'ble Electricity Ombudsman be pleased to cancel and set aside the Forum's order dated 08.10.2025, being illegal, one-sided, and vitiated by procedural irregularities. The Appellant further prays that the audio and video recording or the authenticated transcript of the Forum hearing be called for and examined to ascertain the true facts. The Appellant also seeks directions to the Respondent to submit the CPL for the period July 2019 to March 2020, duly signed and stamped, and to subject all relevant documents, including the CPL report, bills, and meter testing records, to independent technical and forensic examination. The Appellant further prays for appropriate action against the responsible officers of the Respondent for issuing illegal notices, raising wrong bills, suppressing material information, and effecting wrongful compliance with the Forum's defective order. The Appellant also seeks directions for furnishing, in writing, complete meter test reports, CPL data, load survey data, interval data, and chain of custody documents for the last five and a half years.
- (xii) The Appellant additionally prays for directions to replace the impugned smart meter with prior notice and in the presence of the Appellant, and to send both the smart meter as well as the old meter for independent forensic testing. The Appellant further seeks refund of the excess amount recovered over the last five and a half years along with interest at the rate of 18% per annum. *[Note: Again, this is mostly the period of the old meter.]* It is also prayed that no disconnection or coercive recovery action be taken while the matter is sub judice. Finally, the Appellant prays for an award of compensation of Rs. 2,50,000/- towards the financial loss, mental agony, and hardship suffered over the last five and a half years in pursuing the grievance and seeking enforcement of principles of natural justice.
- (xiii) The Appellant alleges that his meter was manipulated by the Respondent since he was not able to access such technical details on his meter like MD, kVAh, Volt/Current/Load details, date/time stamping and tamper events, and the meter was kept 'Stuck,' showing no display. *[Note: This happened twice, in December 2024 and March 2025.]* This is a serious matter in respect of Consumer Protection Act, MERC


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Regulations and the Electricity Act, 2003. Even the Forum has not taken any note on this. *[Note: There were many other submissions on record, many of which were repetitive in nature.]*

(xiv) The Appellant sought the following reports from the Respondent:

- Meter Testing Report (01.06.2021 authorized report & machine statement)
- 5 years reading/ consumption data
- Meter Status Report (Faulty statement)
- Load Statement along with devices used
- Load Distribution Statement
- Billing Unit Statement (Reading verification)
- Meter Reading
- Type of Meter (Digital / Analog)
- Assumption / Actual use difference
- Meter Testing / Calibration Certificate


(xv) In view of the above, the Appellant prays as follows:


A) Procedural & Documentary Demands from the Respondent

- a) To cancel the Forum's order dated 08.10.2025.
- b) To test the audio / video transcript during the hearing of the Forum.
- c) CPL for the period July 2019 to March 2020.
- d) Technical / Forensic Testing order be issued for all documents, CPL report, bills and meter testing.
- e) To take action against the employee regarding illegal notice, wrong billing, suppression of information and wrongful compliance of the Forum's order.
- f) Meter test report, CPL, Load Survey data, interval data and chain of custody papers (of last 5 ½ years.).

B) Meter Replacement & Financial Relief.

- a) To replace the smart meter with prior intimation and in the presence of the Appellant.
- b) Both the meters to be sent for forensic testing.


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- c) Additional amount paid for the last 5 ½ years to be refunded with 18% interest.
- d) No disconnection or forcefully recovery when the matter is sub judice.
- e) Rs.2,50,000/- be given as compensation for the loss incurred for the last 5 ½ years in filing complaint for natural justice.

Analysis and Ruling


4. Heard the parties and perused the documents on record. The Appellant is a residential consumer as detailed in Table 1. The Appellant's grievance is related to 2 distinct periods, (i) from March 2020 onwards (the Covid lockdown period), specifically Sept. and Oct. 2020 and (ii) Dec. 2024 onwards when the meter's display was "stuck". The first part of the grievance is clearly time-barred under Regulation 7.8 of the CGRF & EO Regulations, 2020, which is produced below:


"7.8 The Forum shall not admit any grievance unless it is filed within two (2) years from the date on which the cause of action has arisen."

5. The Appellant contended that from March 2020 onwards, he started receiving excessive electricity bills, despite earlier monthly consumption consistently ranging between 60 to 120 units and no change in usage pattern or connected load. This was the height of the Covid pandemic and lockdown. Although meter testing fees were paid in March 2021, the testing was neither conducted transparently nor with the Appellant present, and no comprehensive or authorized test report was given. Subsequent meter testing in June 2021 was also carried out without the Appellant, and relevant machine-generated reports were never furnished, contrary to regulations.

6. The Appellant approached the Forum on 11.07.2025, 4 years after the above issue. The Forum summarily rejected the grievance by a one-sided order dated 08.10.2025 without granting reasonable opportunity to submit vital documents. The Appellant was also denied access to hearing records such as audio/video recordings or transcripts.

7. The Appellant further alleges meter manipulation, as critical technical parameters like MD, kVAh, voltage, current, load details, and tamper data were inaccessible and the meter


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display remained “stuck “in Dec. 2024. Despite repeated written requests, MSEDCL failed to provide essential documents such as meter test reports, CPL data, consumption history, load statements, and meter details, and instead submitted irrelevant and aggregated DTC-level data, misleading the proceedings. The Forum passed its final order without permitting the Appellant to file a rejoinder. In these circumstances, the Appellant seeks directions for independent technical and forensic examination of the meter and records, replacement of the impugned smart meter, refund of excess billing with interest, protection against coercive recovery, and appropriate compensation for the prolonged financial loss and harassment suffered.

8. The billing details of the Appellant, as reflected in the Consumer Personal Ledger (CPL), are placed at Table 2. The Respondent contended that the accumulated consumption of four months from April to July 2020, which was the Covid lockdown period, was billed in July 2020 and was duly bifurcated month-wise, with credit of average billing for April to June 2020, as it was not possible to take readings on site. This methodology of billing was used throughout Maharashtra. Thereafter, from Aug. 2020 to November 2024, for more than 4 years, the Appellant was consistently billed on actual meter readings without any billing discrepancy. The old meter was tested on 21.04.2021 as per the request of the Appellant, and was found to be in order.

9. In addition, on 01.06.2021, another testing of the said meter was done under a special drive. According to the test report, the meter was again found in order. This Test report was not provided to the Appellant, as this testing of meter cabins was done as a special drive, and if any irregularities were observed, the Respondent approached the concerned consumer for further checking. This clearly establishes that the meter was accurate and the Appellant was billed as per actual reading.

10. After 4 years of regular readings, in December 2024, 173 units were billed under “Faulty” status due to non-display of the meter, which was rectified in January 2025 when an accumulated bill of 328 units was issued. The bill was bifurcated month-wise and a revised bill of Rs. 1,640/- was issued on 27.01.2025 (Table 3). Again, in March 2025, the display got ‘stuck’ and billing was issued on ‘faulty’ status for 216 units. Thereafter, the old meter was replaced by a smart meter on 12.03.2025 under a broader meter upgradation drive. Based on


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final readings, bills for March and April 2025 were proportionately recalculated and a corrected consolidated bill of Rs. 3,270/- was issued. From June 2025 onwards, billing is strictly as per meter readings.


11. The Appellant filed a grievance before the Forum on 11.07.2025. As already noted, the first part of the grievance relates to 2020 and was clearly time barred. Regarding the second part of the grievance, the record shows that despite directions for installation of a series meter (for checking the accuracy of the smart meter), the consumer did not cooperate. After examining the billing history, CPL, and consumption pattern, the Forum held the bills to be correct and disposed of the grievance by order dated 08.10.2025.

12. The Appellant has raised a prayer before this Appellate Authority regarding replacement of his smart meter, which is not permissible under the CGRF and Electricity Ombudsman Regulations, 2020, since it is a policy matter of the Central Government. The Ministry of Power, Government of India, by Notification dated 17.08.2021 issued under the Electricity Act, 2003 and CEA Metering Regulations, has mandated replacement of all existing meters, including functional ones, with Smart TOD Meters under the Revamped Distribution Sector Scheme (RDSS). Installation of smart meters is obligatory for distribution licensees and forms part of a national policy for technology up gradation to ensure accurate, transparent billing and efficient system management. The MERC Tariff Order dated 28.03.2025 (Case No. 217 of 2024) records that the smart meter rollout is being implemented under RDSS through AMISP, with the scheme having a sunset date of 31.03.2026 for eligibility of central grant support. As regards the allegation of deliberate manipulation of the meter by the Respondent, there is no evidence on record to substantiate this claim.

13. The MERC (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021 mandate the installation of smart meters. The relevant provisions are reproduced below:

2. Definitions

2(SS): “**Smart Meter**” shall have the same meaning as ascribed to it under Regulation 2 (1) (ta) of the Central Electricity Authority (Installation and


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Operation of Meters) Regulations, 2006 including any amendment thereto in force from time to time;

5.1: Requirement of Meters

15.1.1. All connections shall be released with an appropriate meter. All meters shall conform to requirements as laid down by various Regulations issued by Central Electricity Authority (Installation & Operation of Meters) Regulations, 2006 and as amended from time to time. The Distribution Licensee shall also comply with these Regulations for energizing a new connection or for replacement of meter or for other purposes such as energy audit and interface meter:

Provided that all the new connections shall be released with the Smart Meter or Meter having at least the facility of remote reading:

Provided further that all the existing meters whenever replaced shall be replaced only by Smart Meter or Meter having at least the facility of remote reading.


It is further stipulated that all new connections henceforth shall be released only with a smart meter or a meter having at least the facility of remote reading, and that all existing meters, whenever replaced, shall also be replaced only with a smart meter or a meter having at least the facility of remote reading.

Accordingly, it is evident from the Supply Code and Standards of Performance Regulations that the Respondent is statutorily obligated to install smart meters, as and when required, for integration with the billing system and for efficient day-to-day billing operations. As regards the other issues raised by the Appellant, we find no merit in them. There is no provision or procedure of conducting 'forensic' testing of meters or reports.

14. The Forum has passed a well-reasoned and speaking order and therefore warrants no interference with the said order.

15. The Representation stands rejected and disposed of accordingly.

Sd/
(Vandana Krishna)
Electricity Ombudsman (Mumbai)


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

