

# BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

## REPRESENTATION NO. 168 OF 2023

In the matter of transfer of outstanding dues of permanently  
disconnected consumer of same address and name

Hemant Vishnu Patil..... Appellant  
(Consumer No. 0000150059615)

V/s.

Maharashtra State Electricity Distribution Co. Ltd. Vashi (MSEDCL) .... Respondent

Appearances:

Appellant : Suraj Chakraborty, Representative

Respondent: 1. D.K. Mohod, Executive Engineer, Vashi Dn.  
2. R.N. Gophane, Addl. Ex.Engineer, Airoli S/dn.  
3. Rakhi Chogale, Asst. Accountant


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

Date of hearing: 30<sup>th</sup> January 2024

Date of Order : 22<sup>nd</sup> March 2024

## ORDER

This Representation was filed on 2<sup>nd</sup> November 2023 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 11<sup>th</sup> September 2023 in Case No.174 of 2023 passed by the Consumer Grievance Redressal Forum, MSEDCL, Bhandup (the Forum). The Forum dismissed the grievance application.

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



2. The Appellant has filed this Representation against the Forum's order dated 11<sup>th</sup> September 2023. The hearing took place on 30<sup>th</sup> January 2024 where the Respondent was present physically whereas the Representative of the Appellant attended the hearing through video conferencing. Both the parties were heard at length. The Respondent filed its reply dated 22.12.2023. For easy understanding, the Respondent's submissions and arguments are stated first as below:

- (i) The Appellant is a residential consumer of MSEDCL having five connections for multi-storey building (Gr. +3 Floor) The details of these residential connections are tabulated as below: -


Table 1

Sr. No.	Consumer No.	Name of Consumer	Address	Date of Connection	Sanctioned Load (KW)	Status Live/PD	Arrears (Rs.)	PD: Month
1	000150059615	Hemant Vishnu Patil	H No-2203 Nr Meena Hospital Shankar Buva Vadi Ghansoli	16.01.2012	0.48	Live	1,160/-	
2	000157499246			16.12.2009	0.80	Live	7,210/-	
3	000150059631			10.01.2012	0.48	PD	6,41,500/-	Jan. 2022
4	000150059607			10.01.2012	0.48	PD	5,68,176/-	Mar. 2015
5	000157499254			16.12.2009	0.80	PD	Nil	Oct. 2022

- (ii) The electric connection of Consumer No. 000150059607 was released on 10.01.2012 for residential purpose, and Meter No. 01757676 was installed.
- (iii) The billing of the Appellant from April 2012 to March 2015 as per Consumer Personal Ledger (CPL) was as below:


Table 2:

"  
"  
"  
"  
"  
"  
"  
"  
"  
"

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai




Billing of PD Consumer (No. 000150059607 ) :Date of Connection:16.01.2012									
Financial Year	2012 to 2013					2013 to 2014			
Month	Meter No.	Initial Reading (KWH)	Current Reading (KWH)	Cons. (Units)	Status	Initial Reading (KWH)	Current Reading (KWH)	Cons. (Units)	Status
Apr	8201757676	1	1	192	Reading Not Available(RNA) *	2565	2783	218	Normal
May	8201757676	1	1017	1016*	Normal	2783	2951	168	Normal
Jun	8201757676	1017	1166	149	Normal	2951	3139	188	Normal
Jul	8201757676	1166	1375	209	Normal	3139	3139	182	Faulty
Aug	8201757676	1375	1530	155	Normal	3139	3139	182	Faulty
Sep	8201757676	1530	1661	131	Normal	3139	3139	182	Faulty
Oct	8201757676	1661	1787	126	Normal	3139	3139	182	Faulty
Nov	8201757676	1787	1946	159	Normal	3139	3139	182	Faulty
Dec	8201757676	1946	2050	104	Normal	3139	3139	182	Faulty
Jan	8201757676	2050	2209	159	Normal	3139	3139	182	Faulty
Feb	8201757676	2209	2358	149	Normal	3139	3139	182	Faulty
Mar	8201757676	2358	2565	207	Normal	3139	3139	182	Faulty
Financial Year	2014 to 2015								
Month	Meter No.	Initial Reading (KWH)	Current Reading (KWH)	Cons. (Units)	Status				
Apr	8201757676	3139	3139	182	Faulty				
May	8201757676	3139	3139	182	Faulty				
Jun	8201757676	3139	3139	182	Faulty				
Jul	8201757676	3139	3139	182	Faulty				
Aug	8201757676	3139	3139	182	Faulty				
Sep	8201757676	3139	3139	182	Faulty				
Oct	8201757676	3139	3139	182	Faulty				
Nov	8201757676	3139	3139	182	Faulty				
Dec	8201757676	3139	3139	182	Faulty				
Jan	5803246507	1	166	2165	Normal				
Feb	5803246507	166	346	180	Normal				
Mar	5803246507				PD				
Note	<p>1. The First bill was issued in Apr. 2012 for 3 months with consumption of 192 units with status of "RNA" . Consumer was billed for accumulated consumption of 1016 units for 4 months from Feb. to May.2012 bifurcating the consumption for 4 months.</p> <p>2. The Meter (No. 8201757676 ) was replaced by a new meter (No.5803246507) in Dec. 2014, &amp; the old meter's Final Reading was found to be 60840 KWH.</p> <p>3. The Appellant's supply was permanently disconnected in March 2015.</p>								

  
 (Dilip Dumbre)  
 Secretary  
 Electricity Ombudsman Mumbai



- (iv) The said connection (No.000150059607) was billed as per meter reading up to Jun. 2013, and the final reading in Jun. 2013 was 2974 KWH. *[Note CPL Reading: 3139 KWH]*.
- (v) During the period of Jul. 2013 to Dec.2014 (18 months), the Appellant (No.000150059607) was billed with an average of 182 units per month under 'Faulty Status' though the meter was working. This meter (No. 01757676) was then replaced with a new meter No. 03246507 in Dec. 2014, with a Final Reading of 60840 KWH. The old meter was working and subsequently the meter was tested and found in order. As such the consumer had been under billed by 57866 (60840-2974) units. *[Note: Actually it should be 57701(60840-3139) Units]*
- (vi) The Respondent vide its letter No. 685 in Feb.2015 issued a supplementary bill of Rs.5,68,180/- for 57866 units towards escaped billing for 34 months from Apr. 2012 (First bill issued) to Jan. 2015 to the Appellant (No. 000150059607), for splitting the accumulated consumption for slab benefit. *[Note: Monthly Average Consumption 57701/34=1697 Units per month]*
- (vii) In the month Feb.2015, the Appellant (No.000150059607) was explained in detail regarding the meter working, accumulated billing, and supplementary bill of Rs.5,68,180/-. The Respondent offered an instalment facility for payment of the said bill; however the Appellant did not turn up, therefore his supply was permanently disconnected in Mar. 2015.
- (viii) During the Special Drive of Verification of PD Consumers in Feb. 2021, it was noticed that this PD Consumer (No. 000150059607) had the same name and same address as the other four consumers as shown in Table 1. Hence, the outstanding dues of PD consumer (No. 000150059607) of Rs.5,97,050/- ( arrears at that time) were transferred to the live consumer (No. 000150059631) in the month of Feb. 2021. The said dues/arrears were also not paid by the Appellant; hence the said connection (No.000150059631) was also permanently disconnected in Jan. 2022 after following the due procedure of Section 56(1) of the Electricity Act, 2003 (the Act).

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai




- (ix) In the month of Nov. 2021, the supply of Consumer No.000157499254 was found to be unauthorisedly extended to the premises of the PD Consumers. Hence, this consumer was booked under Section 126 of the Act for unauthorized use of electricity. Therefore, its supply was permanently disconnected in the month of Oct. 2022. The Appellant paid the amount of Rs.49,250/- and hence, this PD Consumer (No.000157499254) is not in arrears at present.
- (x) The supply of Consumer No. 000150059615 and. No. 000157499246 is live and never disconnected; therefore, the allegations of the Appellant are baseless in the present situation.
- (xi) The Appellant filed a grievance application in the Forum on 08.02.2023. The cause of action arose in Feb. 2015 when the first supplementary bill of Rs.5.68 lakh was raised, hence the grievance was supposed to be raised within two years from the cause of action i.e. before Feb. 2017. Resultantly, **the grievance is time barred as per Regulation 6.6/7.9 of CGRF and EO Regulations 2006 / 2020 respectively.** The claim of the Appellant is therefore not maintainable. The Regulation 6.6 / 7.9 of CGRF and EO Regulations 2020 provides that:

*“Forum shall not admit any grievance unless it is filed within 2 years from the date on which the cause of action has arisen.”*

- (xii) The transfer of PD Arrears of one connection to the other live connection having the same address and same name was initiated as per MSEDCL Corporate office guidelines dated 06.07.2013 which is reproduced as under: -

*“Point No 4: In premises of any PD consumer in arrears, if there is other live connection of same PD consumer or of his legal successor found, then entire PD arrears with interest & DPC should be diverted on such live connection.”*

*“Point No 6: If any PD consumer in arrears is having any live electricity connection in same or other subdivision, division, circle or zone, then the entire*

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai




*PD arrears with interest and DPC should be diverted on said live connection of same PD consumer."*

- (xiii) The Respondent cited the Regulation 12.5 of the Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021 (the Supply Code & SOP Regulations 2021) in support of its submissions which is reproduced as below:

*"Any charge for electricity or any sum other than a charge for electricity due to the Distribution Licensee which remains unpaid by a deceased Appellant 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."*

- (xiv) The Respondent issued disconnection notice to the Appellant as per Section 56 (1) of the Act from time to time. The Section 56 (1) reads as follows:

*"(1) Where any person neglects to pay any charge for electricity or any sum other than a charge for electricity due from him to a licensee or the generating company in respect of supply, transmission or distribution or wheeling of electricity to him, the licensee or the generating company may, after giving not less than fifteen clear days' notice in writing, to such person and without prejudice to his rights to recover such charge or other sum by suit, cut off the supply of electricity and for that purpose cut or disconnect any electric supply line or other works being the property of such licensee or the generating company through which electricity may have been supplied, transmitted, distributed or wheeled and may discontinue the supply until such charge or*

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



*other sum, together with any expenses incurred by him in cutting off and reconnecting the supply, are paid, but no longer:*

*Provided that the supply of electricity shall not be cut off if such person deposits, under protest,*

*(a) an amount equal to the sum claimed from him, or*


*(b) the electricity charges due from him for each month calculated on the basis of average charge for electricity paid by him during the preceding six months,*

*whichever is less, pending disposal of any dispute between him and the licensee.”*

This very wording demonstrates that the Distribution Licensee is entitled to transfer the unpaid arrears amount in respect of the applicant's disconnected meter to his other live connection, and also that it is entitled to cut off the electricity supply of his second live connection if he does not pay the unpaid arrears amount, provided that it serves the applicant with a fifteen clear days' notice before actual disconnection. This provision lays down the procedure for disconnection of supply for nonpayment of charges of electricity.

(xv) Also, in a similar matter, the Respondent relies on the Order dated 31.05.2021 passed by the Electricity Ombudsman in Case No.2 of 2021 which clearly interprets Section 56(1), and 56(2) of the Act and Regulation 10.5 of the Supply Code Regulations, 2005, thereby empowering for transfer of dues. The Hon'ble Electricity Ombudsman has held as under.


*“13. I noted that Electricity Ombudsman, Mumbai in its order dated 16.12.2008 in Representation No. 78 of 2008 has examined similar issue and discussed in it the various provisions of the Act and Regulations. In this order, Electricity Ombudsman has referred the Judgment in Case of L. Vijayalakshmi Vs. Asstt. Engineer, Maintenance & Operation, T.N. Electricity Board ATR 2004 NOC 276 (Madras) in which it has been held that:*

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



*“Electricity Board has power to disconnect electric service connection when there is a default in payment of consumption charges relating to any one of the service connections by the Consumer. The disconnection of the electric supply, therefore, held not illegal.” In the same order, it has been noted that the same view is taken by Hon’ble Madhya Pradesh State Consumer Disputes Redressal Commission, Bhopal in case of M.P. Electricity Board Vs. Akhtyar Bi reported in II (2005) CPJ 221.*


14. *Based on this, Respondent MSEDCL has issued guidelines dated 06.07.2013 to its officers in which it is clearly stated that: - "Point No 4: In premises of any PD consumer in arrears, if there' is other live connection of same PD consumer or of his legal successor found, then entire PD arrears with interest & DPC should be diverted on such live connection. Point No 6: If any PD consumer in arrears is having any live electricity connection in same or other subdivision, division, circle 'or zone, then the entire PD arrears with interest and DPC should be diverted on said live connection of same PD consumer."*
15. *Moreover, the electricity dues where they are statutory in character under the Act and as per the terms and conditions of supply, cannot be waived in view of the provisions of Section 56 of the Electricity Act, 2003 and cannot partake the character of dues of purely contractual nature. In addition, it is the primary responsibility of the owner of the premises to see that his tenants fulfil all obligations under the mutual agreement, oral or otherwise, during currency of the tenancy agreement. This is more so relevant in this case as the tenant was allowed to use electricity connection which stands in the name of the owner. These obligations include payment of electricity bills which the Appellant has expressly said that it was the duty of the tenant to have paid the electricity bills. In absence of such diligence on the part of the owner, an unscrupulous consumer / user / tenant may commit defaults with impunity, and when*

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai





*the electricity supply is disconnected for non-payment, may sell away the property and move on to another property or let out the property to someone else, thereby making it difficult, if not impossible, for the distribution licensee to recover the dues. Having regard to large number of consumers of electricity and the frequent moving or translocating of industrial, commercial, and residential establishments, it is necessary to safeguard the interests of the distribution licensee. However, it goes without saying that this does not absolve the distribution licensee to keep tab on timely payment of electricity charges by consumers. I, therefore, do not find anything unreasonable in a provision enabling the distribution licensee, to disconnect electricity supply if dues are not paid, or where the electricity supply has already been disconnected for non-payment, insist upon clearance of arrears from the other connection of the Appellant. It is obviously the duty of the Appellant (owner) of the premises to satisfy himself that there are no electricity dues which remained unpaid by the occupier/ tenant of his premises particularly when the connection which is being used by the tenant is in the name of the owner. Therefore, the Appellant (owner) is supposed to clear the dues if the tenant fails to pay to safeguard his own interest. If this goes unchecked, then there will be no end in sight to resolve such issues and it will be used as a tool to defraud the exchequer from collecting its legitimate dues and it will be a standard modus operandi of the fraudsters. These checks and balances are necessary as electricity is a public property. Law in its majesty, benignly protects public property and behoves everyone to respect public property. Dishonest consumers cannot be allowed to play truant with public property. It is important to note that the Appellant is not only in arrears of MSEDCL dues, but it has not paid dues of its distribution franchisee (TPL). The Appellant has never agitated at any Forum with respect to dues of MSEDCL which*

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai




*were shown in the bills issued by the distribution franchisee. Therefore, the intention of the Appellant tantamount to deliberate negligence in payment of arrears. I, therefore, have no doubt in declaring that the Appellant (owner) is under legal obligation to pay the electricity dues of one of his permanently disconnected connection if the same are transferred to his other live electricity connection. In this case, it is important to note that the connection which was permanently disconnected for non-payment of electricity dues, was a power loom connection and the connection to which the arrears of PD connection are transferred is also a power loom connection. Possibility of manipulation of the entire issue cannot be ruled out by way of some documentation and thrusting the entire responsibility on the tenant could be a ploy to avoid payment of arrears and defraud the exchequer.”*

(xvi) The Forum by its order has already considered and addressed all these issues and passed a reasoned order; therefore, needs no interference. In view of the above submissions, the Respondent prays that the representation of the Appellant be rejected as there is no merit in it, and also the grievance is time barred.

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


- (i) The Appellant is a residential consumer of MSEDCL having five connections for his multi-storey building (Gr.+3 Floors), having the same name and same address. The details of these residential connections are tabulated in Table 1. The residential meter in respect of consumer no. 000150059615 was disconnected by MSEDCL without any notice though the consumer had made the payment of Rs.49,250/- against protest, and still MSEDCL has not reconnected their supply.
- (ii) The Respondent issued a supplementary bill of Rs.5,68,180/- for 57866 units for 34 months from Apr. 2012 to Jan. 2015 for Con. No. 000150059607 in Feb.2015. This claim was fictitious in nature and hence the Appellant did not pay these

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



outstanding dues. The supply of this consumer number was permanently disconnected without any notice in Mar. 2015.

- (iii) The Respondent had debited (transferred) the said amount to the second consumer number 000150059631 illegally. The said connection was also disconnected in the month of Jan. 2022 due to non-payment of electricity bill.
- (iv) The residential meter in respect of Consumer No. 000150059615 was disconnected by MSEDCL without any notice though the consumer had made the payment of Rs. 49,250/- in protest against the alleged bill under Section 126 of the Act.
- (v) At present, there are only two live connections left (Cons. No. 000150059615 & Cons. No. 000157499246) as charted in Table 1, and all their payments have been made within time.
- (vi) The Appellant submitted his grievance before the Forum on 08.02.2023 which was dismissed by order dated 11.09.2023. The grievance was wrongly held to be time barred.
- (vii) The meter (No. 8201757676) of Consumer No. 000150059607 was found “faulty” from Jul. 2013 to Dec. 2014. This clearly indicates that the meter was defective. The Appellant should be billed for three months as per Regulation 15.4.1 of Supply Code Regulations 2005.
- (viii) It is the duty of the Respondent to approach a Court of Law for recovery process. However, the Respondent chose the path of disconnecting the live consumers, which is totally illegal.
- (ix) In view of the above, the Appellant prays:
  - a. to reconnect the Consumer No. 000157499254, and not to disconnect the other live consumers.
  - b. to withdraw all wrong and exorbitant bills along with interest and DPC charged thereon.
  - c. to revise the bill of Consumer No. 000150059607 as per “defective meter” only for three months, as per Regulation 15.4.1 of Supply Code Regulations 2005.

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai




4. During the course of the hearing, the Respondent was directed to carry out site inspections of all electric installations in the presence of the Appellant, and to submit these reports at the earliest. Accordingly, the Respondent visited the site for site inspection. However, the Appellant declined to witness and sign the report. The Respondent made a complaint verbally to the Ombudsman (Mumbai) office. Accordingly, the Appellant was advised to remain present and contact the Respondent for further follow-up. The Respondent by its email dated 13.03.2024, has submitted the Spot Verification Reports of all 6 electric installations which is summarized as below:

Table 3 :

Consumer No.	000150059615	000157499246	000150059631	000150059607	000157499254	000150210178*
Name of Consumer	Hemant Vishnu Patil					V .D. Patil
Address	H No-2203 Nr Meena Hospital Shankar Buva Vadi Ghansoli					Ghansoli
Date of Connection	16.01.2012	16.12.2009	10.01.2012	10.01.2012	16.12.2009	09.01.1989
Sanctioned Load (KW)	0.48	0.80	0.48	0.48	0.80	0.40
Date of Inspection	11.02.2024	11.02.2024	11.02.2024	11.02.2024	11.02.2024	11.02.2024
Status	Live	Live	PD	PD	<b>PD on record, but live on site</b>	Live
Meter No.	1817968	85478491	N A	Not provided	Not available	1658861
Reading (KWH)	Working, with Reading 35849 KWH	Working, with Reading 10123 KWH	Nil	Nil	No Display, meter not working, but the load was working( Unbilled)	working with Reading 31331 KWH
Connected Load found	0.93 KW (12 CFL, 4 Fans, 3 TVs)	2.35 KW (17 CFL, 6 Fans, 2 TVs,2 Fridges, 1 Cooler & 1 Computer)	0.54 KW (6 CFL, 2 Fans, 2 TVs)	0.37 KW (5 CFL, 2 Fans, 1 TV)	1.14 KW (14 CFL, 6 Fans, 2 TVs, 1 Fridge)	0.7 KW (4 CFL, 2 Fans,2 TVs,1 Fridge)
Cons.pattern (KW)	100 to 750 Units per month from Apr.2023 - Jan.2024	100 to 650 Units per month from Apr.2023- Jan.2024	210 to 260 units per month in 2020-21	Not available	Unbilled as Consumer was PD on record	100 to 350 Units per month
Inspection Remark	The meter is used for 5 rooms of the second floor	The meter is used for 6 rooms of the first floor	The Consumer is PD. As per Consumer, the meter was used for 2 rooms of the	The Consumer is PD. As per Consumer, the meter was used for 2 rooms of the first floor	The meter is used for 5 rooms of the third floor	The meter is used for 2 rooms of ground floor

\*Additional connection found

  
 (Dilip Dumbre)  
 Secretary  
 Electricity Ombudsman Mumbai




## Analysis and Ruling

5. Heard the parties and perused the documents on record. The Appellant is a residential consumer of the Respondent MSEDCL, having six connections for a multi-storey building (Gr. +3 Floors). The details of these residential connections are tabulated in Table 1 and Table 3.

### 6. To decide consumption pattern of PD Consumer No. 000150059607:


- The Appellant has prayed to revise the bill of connection No. 000150059607 and to restrict it to only 3 months, treating the meter as defective. The electric connection of Consumer No. 000150059607 was released on 10.01.2012 for residential purpose. The billing of the Appellant from April 2012 to March 2015 as per Consumer Personal Ledger (CPL) has been tabulated in Table 2. The said consumer (No. 000150059607) was billed as per the correct meter reading up to Jun. 2013. The disputed billing started thereafter.
- The Respondent contended that during the period of Jul. 2013 to Dec.2014 (18 months), the reading was shown as 'frozen' in the records at 3139 KWH. The Appellant (No.000150059607) was (mistakenly) billed with an average of 182 units per month under 'Faulty Status' though the meter was working. This meter (No. 01757676) was then replaced with a new meter No. 03246507 in Dec. 2014, with a Final Reading of 60840 KWH on the old meter. The old meter was working and subsequently the meter was tested and found in order. As such, the Respondent claimed that the consumer had been under-billed by 57866 (60840- 2974) units by the Respondent. The Respondent vide its letter No. 685 in Feb.2015 issued a supplementary bill of Rs.5,68,180/- for 57866 units towards escaped billing for 34 months from Apr. 2012 to Jan. 2015 to the Appellant (No. 000150059607), for splitting the accumulated consumption for giving slab benefit. This comes to consumption of 1702 units per month. The supply of this consumer was permanently disconnected in Mar. 2015.
- The main grievance of the Appellant is regarding this supplementary bill of Rs.5.68 lakhs, which was issued as far back as Feb. 2015. Yet the Appellant approached the Forum only on 08.02.2023. Hence the grievance was time barred as per Regulation 7.8

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



of CGRF & EO Regulations 2020. The cause of action arose in Feb. 2015 when the supplementary bill was given. It seems that the Appellant deliberately kept quiet about this PD connection, since he was unauthorisedly drawing power from his other connection without paying for it.

- Though the grievance is time barred, at the same time, it is very difficult to digest the implied consumption pattern of the assessment which was 1702 units per month. Looking at the previous consumption pattern of this connection as given in Table 2, it is seen that the monthly consumption was in the range of 100 to 200 units during the year 2012-13. This is much lower than the assumed monthly consumption of 1702 units in the supplementary bill.
- Several irregularities are observed in the six connections of the Appellant as observed from Table 3. The Appellant has managed to obtain multiple connections with the same name and address, and it is difficult to understand which connection is being used for which floor / rooms. It is not clear why the Respondent granted multiple connections at the same address. At least the room numbers should be properly recorded for each connection to avoid misuse. For example, even after permanent disconnection, one connection is being used through another meter. Room of PD consumer no. 000150059607 is drawing power from another connection no. 000157499246. Similarly, Room with connection no. 000150059631 is drawing power from connection no. 000150059615. All these connections need to be streamlined, and the correct billing should be done based on the observed consumption pattern. We find that the typical consumption pattern of connection no. 000150059607 varied from 100 – 650 units per month from April 2023 to January 2024. Similarly, the typical consumption pattern for connection no. 000150059615 varied from 100 – 750 units per month from April 2023 to January 2024.
- The Respondent is advised to form a committee to decide the average consumption pattern, to withdraw the supplementary bill of Rs.5.63 lakhs and to issue a revised bill based on a realistic average consumption pattern.

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai




7. **PD Consumer (No. 000157499254):** Connection No. 000157499254, though made PD in October 2022 was found to be live during the inspection. The meter's display was not working, and hence the consumption seems to be unbilled. This connection supplies power to 5 rooms on the 3<sup>rd</sup> floor. Ironically, the Appellant has prayed to reconnect this supply; at the same time when he is enjoying unauthorized supply from this very connection. The Respondent is advised to replace this meter and to bill the consumer based on the observed consumption pattern. The current unbilled consumption must stop immediately.

8. The Respondent has the liberty to disconnect the other connections of the Appellant having the same name and same address, after considering the legality of the case.

9. The Forum's order is modified to the extent above. The Representation is disposed of accordingly.

10. The secretariat of this office is directed to refund the amount of Rs.25000/- taken as a deposit to the Respondent to adjust in the ensuing bill of Consumer No. 000150059615.

Sd/  
(Vandana Krishna)  
Electricity Ombudsman (Mumbai)

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai

