

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 90 OF 2021

In the matter of excess billing

Anna Kisanrao MoreAppellant
House No.282, Khadavli
(Cons. No.021110097911)

V/s.

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

Appearances

Appellant : Anna Kisanrao More
Respondent : 1. R.A. Ramteke, Executive Engineer
2. Ganesh Pawar, Addl. Ex. Engineer


Coram: Deepak Lad

Date of Hearing: - 10th & 15th February 2022

Date of Order : - 15th February 2022

ORDER

This Representation is filed on 14th December 2021 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2020 (CGRF Regulations 2020) against the Order dated 21st October 2021 passed by the Consumer Grievance Redressal Forum, MSEDCL Kalyan Zone.


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

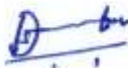


2. The Forum, by its order dated 21.10.2021 has rejected the Grievance Application No. 2139 of 2021-22 with following directions as given below:

- “2) The consumer is directed to pay the arrears along with current bill in 3 installments. If none of the installment is paid, the power supply of the customer should be disconnected.
- 3) Interest and DPC shown in customer`s electricity bill should be waived till the date of order.”

3. Aggrieved by the order of the Forum, the Appellant filed this representation which is in brief as below: -

- (i) The Appellant is a Residential consumer (No.021110097911) from 01.11.2004 at House No.282, near Government Hospital, Khadavli, Dist. Thane.
- (ii) The Appellant was receiving monthly bills regularly as per actual reading up to March 2020. The Appellant was regular in payment till date. The Appellant was billed on average basis for the month of April and May 2020.
- (iii) The Appellant received a high bill of Rs.7834.40 for 778 units in the month of June 2020. The Appellant paid the electricity bill of Rs. 5511/- on 29.06.2020. There is some calculation mistake and the outstanding shown in the bill is not correct. The Appellant approached the local office of the Respondent however, it did not explain the calculations of bills. Hence, it is necessary to revise the bill.
- (iv) The Appellant then filed the grievance with the Internal Grievance Redressal Cell (IGRC) on 01.02.2021. The IGRC did not issue order within time. The Appellant approached the Forum on 16.03.2021. Afterword, the IGRC, by its order dated 01.04.2021 has rejected his grievance. The IGRC failed to understand that his present consumption is double compared to the consumption during lockdown period. The Forum also by its order dated 21.10.2021 has rejected the Grievance


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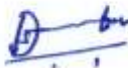


by giving minimal relief by waiving interest and DPC. The Forum failed to understand that there is calculation mistake while preparing the bill.

- (v) The Appellant prays that the Respondent be directed to revise the bill considering facts and circumstances in the case.

4. The Respondent, by its letter dated 18.01.2022 filed its reply which is in brief as under:-

- (i) The Appellant is a Residential consumer (No. 021110097911) from 01.11.2004 at House No. 282, near Government Hospital, Khadavli, Dist. Thane.
- (ii) The Respondent billed the Appellant as per actual reading up to March 2020. Due to outbreak of Covid-19 epidemic, the Government declared complete lockdown from 23.03.2020 and everyone restricted to stay at home. It was not possible to take reading and hence the Appellant was billed with 99 units per month with RNT Status in April and May 2020.
- (iii) The reading of 6428 KWH of the Appellant taken on 16.06.2020 physically. The Appellant billed for accumulated consumption of 778(6428-5650) Units in June 2020 which is for 3 months, and system has already given credit of Rs. 1119/- of average billing under RNT status for April and May 2020. The Appellant billed on actual reading from July 2020 onwards.
- (iv) The Appellant did not pay the electricity bills from March 2020 onwards. The Appellant paid last bill of February 2020 on 09.03.2020. The Appellant was in arrears for Rs.2315/-. The total bill payable in June 2020 was Rs. 7834.40. The Appellant paid Rs.5511/- on 29.06.2020 and adjusted in the bill of July 2020. The Appellant consumed 228 units in July 2020. Considering Appellant`s payment of Rs.5511/- on 29.06.2020, the bill of July 2020 and outstanding dues, the Appellant was in arrears of Rs. 4295.23 in July 2020. The Appellant is consuming electricity but is not paying the bills issued to him on monthly basis regularly. Therefore, the outstanding dues of the Appellant increased.

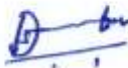

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- (v) Not satisfied with the billing, the Appellant filed his grievance with the IGRC on 01.02.2021. The IGRC, by its order dated 01.04.2021 has rightly rejected the grievance. Prior to the order of the IGRC, the Appellant approached the Forum on 16.03.2021. The Forum, by its order dated 21.10.2021 has rejected the Grievance giving direction for waiving interest and DPC till the date of order.
- (vi) The Respondent revised the bill as per order of the Forum and issued to the Appellant by its letter dated 29.11.2021. The Appellant did not pay the outstanding amount from 29.06.2020. Though the supply of the Appellant was temporarily disconnected in August 2021, there are progressive readings on the meter which indicate that the Appellant is using the supply dishonestly.
- (vii) The outstanding dues has increased to Rs. 25189/- in December 2021 even if due credit given as per Forum`s order.
- (viii) The monthly bills were prepared as per the consumption recorded on the meter. The monthly bills are processed in a billing software in the computerized system which is managed centrally by the IT department of the Respondent and no manual interference is done.
- (ix) In view of the above, the Respondent prays to reject the Representation.

5. The hearing in the instant case was held on 11.02.2021 on e-platform, however, it was postponed as the Appellant was not able to express and convey his views through video conferencing. Hence, it was decided to adjourn the hearing for physical one. Thereafter, a physical hearing was held on 15.02.2022 in this office.

6. During the hearing, the Appellant tried to correlate various payments made by him vis-à-vis the electricity bills issued to him. He was particularly questioning the billing during the lockdown and subsequent payments made by him. From his entire disposition, I felt that the Appellant has not been able to reconcile and understand the factual position. The Respondent in its own right and the undersigned explained each and every entry in the Consumer Personal Ledger of his electricity connection for which the present representation has been filed. Finally,


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the Appellant got convinced with the explanation offered to him and further agreed to pay the outstanding arrears.

Analysis & Ruling

7. Heard both the parties and perused the documents on record. The Consumer Personal Ledger (CPL) from March 2020 to December 2021 is tabulated as below:

Consumer . No.021110097911									
Month	Initial Reading (KWh)	Final Reading (KWh)	Diff. (Units)	Remarks	Month	Initial Reading (KWh)	Final Reading (KWh)	Diff. (Units)	Remarks
Mar-20	5523	5650	127	as per reading	Feb-21	7554	7628	74	
Apr-20	5650	5650	99	RNT Status (Lockdown)	Mar-21	7628	7727	99	
May-20	5650	5650	99	RNT Status (Lockdown)	Apr-21	7727	7879	152	
Jun-20	5650	6428	778	Accumulated Actual Reading	May-21	7879	8075	196	
Jul-20	6428	6656	228		Jun-21	8075	8248	173	
Aug-20	6656	6852	196		Jul-21	8248	8414	166	
Sep-20	6852	7019	167		Aug-21	8414	8563	149	TD on record from Aug-21
Oct-20	7019	7199	180		Sep-21	8563	8682	119	
Nov-20	7199	7352	153		Oct-21	8682	8811	129	
Dec-20	7352	7466	114		Nov-21	8811	8910	99	
Jan-21	7466	7554	88		Dec-21	8910	8998	88	

The main grievance of the Appellant is that the consumption during April, May and June 2020 of lockdown period is pretty high and therefore not correct. From the above table, it is seen that the Appellant is billed in the month of April and May 2020 without taking actual reading as per directions of the Commission during Covid-19 period, and actual reading was taken in June 2020 which shows an accumulated consumption. The Respondent, therefore, adjusted this accumulated consumption spread over three months and billed the Appellant accordingly. The per month consumption in April, May and June 2020 comes to 259 units. From then onwards, the Appellant has been billed for actual reading. It is seen that it has consumed 228 highest units in the month of July 2020. Besides this, consumption in three digits


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with highest 196 in August 2020 and lowest 114 units in October 2020 is recorded. All these figures of consumption are based on actual reading of the meter. This consumption fairly tallies with the consumption recorded during lockdown period. Therefore, there do not appear to be anything wrong as far as billing is concerned.

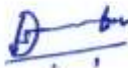
8. In my opinion, the Appellant is having doubts with respect to amount paid by him and its proper accounting. The CPL shows that the Appellant has been given credit of Rs.1119/- in the month of June 2020 due to average billing of April and May 2020 excluding fixed charges. After considering this credit of Rs.1119/-, its total bill in the month of June 2020 was Rs.7834.40. The Appellant further paid Rs.5511/- on 29.06.2020. Considering this payment, and billing of July 2020, the outstanding amount as on July 2020 end was Rs.4295.23. After this, the Appellant stopped paying the bills. The amount therefore increased to Rs.25189/- till December 2021.

9. The Forum has analysed the complete case with minute details. It has waived of interest and DPC till the date of its order. The Respondent to act on the order of the Forum and issue the final bill accordingly.

10. In view of the above, I do not find anything which needs to be resolved and therefore, the Representation is rejected.

11. The secretariat of this office is directed to refund the amount of Rs.7500/- by way of adjustment in the billing account of the Appellant's Consumer No.021110097911 and inform the Respondent accordingly.

Sd/
(Deepak Lad)
Electricity Ombudsman (Mumbai)


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

