

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO.194 OF 2019

In the matter of billing

Naresh Lekhrajmal Alias..... Appellant

V/s.

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

Appearances

For Appellant : J. S. Rajput, Representative

For Respondent : 1. Ashok P. Sawant, Executive Engineer
2. Vinod D. Vipar, Addl. Exe. Engineer


Coram: Deepak Lad

Date of Order: 27th January 2020

ORDER

This Representation is filed on 13th November, 2019 under Regulation 17.2 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (*CGRF Regulations*) against the Order dated 18th September 2019 passed by the Consumer Grievance Redressal Forum, MSEDCL, Kalyan (*the Forum*).

2. The Forum, by its Order dated 18.09.2019 rejected the grievance application in Case No. 1920 of 2019 - 20. The Forum has observed that considering the test report, the slot wise consumption recorded in the meter cannot be denied and the distribution licensee has the right to recover the unbilled units as recorded in meter. When the same slot wise meter reading is


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai



also recorded in the MRI. It is also noted that slot wise readings prior to September 2017 was adjusted manually, hence, the same are not matching with slot wise MRI reading taken in month of September 2017.

3. Aggrieved by the order of the Forum, the Appellant has filed this representation in which it has simply stated that it has received excessive bill for the month of September 2017. This bill is excessive in comparison to the earlier bills issued by the Respondent. Even post replacement of meter, the Appellant has never reached consumption of what has been recorded in the month of September 2017. The Appellant further submitted that the meter which has recorded excessive bill in September 2017 is declared defective by manufacturer of the meter as consumption calculated on the basis of readings on main counter, and that by summation of all slots differ. Therefore, the Appellant prays for revision of the bill of September 2017.

4. The Respondent MSEDCL, by letter dated 07.12.2019 has filed reply stating as under:-

- (i) The Appellant is an industrial consumer (No.0215109445191) having 3 phase 10 HP sanctioned load at Bk No. 2005, Room No.12, Ulhasnagar.
- (ii) Appellant has complained about excessive bill of 8724 units generated for the month of September 2017 on 11.10.2017 at subdivision level. This was in contrast to the previous consumption pattern of around 700 to 900 units per month.
- (iii) To avoid manual interference, reading of industrial consumers was being taken through Meter Reading Instrument (MRI) from the year 2017. This helps to record tamper events also. The Appellant's meter was therefore read accordingly.
- (iv) The Appellant was billed for the consumption arrived at by summing up of consumption recorded in all slots of KWH reading, instead of consumption on Header (Main Counter) reading as was done earlier. The grievance arose because KWH as per Main Counter reading was less than that arrived by summing up KWH in all slots.

- (v) After reviewing the meter reading source utilised for the billing purpose (from the data received from the IT Department) it is noticed that consumer was billed with ASCII file in the billing month of September 2017. The Appellant was billed on the basis of manual readings of Main Counter display up to August 2017 with reading of 54004 KWH. Whereas in the month of September 2017, October 2017 and November 2017, Appellant was billed with the reading 62728, 63146, 63768 KWH with the monthly consumption of 8724, 418 and 622 units respectively after summation of consumption in all slots.
- (vi) After reviewing of MR-9 (Meter Reading Form) for the month of September 2017 i.e. Bill Month Aug-2017, it is noticed that the consumption calculated on the basis of reading on main counter of the meter and the consumption calculated on the basis of summing KWH of all slots was exactly the same. However, this equation got disturbed in the bill month September 2017. This mismatch between Main Counter reading and slot summation comes to 7748 units for the bill month of September 2017.
- (vii) The Appellant's old Genus Make meter with serial number 02453894 was replaced by new Genus Make meter with serial number 0637155 on 18.07.2018. It is noticed that as per new meter energy consumption pattern is around 300 to 400 units per month.
- (viii) The Appellant has approached the IGRC for resolution of his grievance in the month of June 2018. After the hearing in the IGRC, decision was to review the billing of the said connection, if required. But the same was not implemented in the billing system. Hence, the Appellant approached the Forum in the month of June 2019 (Case No. 1920 of 2019-20). The then Sub Divisional Officer has requested the Forum to accord the decision on the basis of order passed by Hon. Electricity Ombudsman in the Representation No. 220 and 221 of 2018. During the hearing, the Forum has advised the licensee to test the meter in the testing laboratory of both MSEDCL and the Manufacturer.

- (ix) The meter was tested for accuracy in MSEDCL's Meter Testing Lab and testing report was found normal i.e. -0.49 %.
- (x) Moreover, the meter number 02453894 was also tested in Meter Manufacturer's lab and as per the observations recorded in the Meter Manufacturer's meter-analysis report, Meter's internal memory has got corrupted, Meter data is not getting downloaded through the optical port and hence the meter was declared as defective due to internal component failure. Hence, meter manufacturer has concluded that the meter is faulty. The same reports and other demanded documents were put up before the Forum.
- (xi) As per the decision by the Forum in the Case No. 1920 of 2019-20, the grievance was rejected and MSEDCL has right to recover the bill on the basis of summation of slot wise reading as recorded in MRI.

From above facts and figures following observations can be recorded.

- a) In case of Ramgopal Sharma in Rep. No 220 of 2018, the Electricity Ombudsman has rejected the representation by upholding the order of the Forum as Meter Manufacturer has concluded that Meter Cumulative Data Register has got corrupted for Meter No. 02453806 and hence Slot Readings were used for billing purpose.
- b) In this case, though the manufacturer by its letter dated 03.08.2019 has concluded that the meter was faulty due to its internal memory got corrupted, however, this letter should not be considered.
- c) In multiple number of cases, the slot summation and header reading mismatch has come on surface as in the above case for which no technical reason could be found on record.
- d) The September 2017 billed consumption was outcome of billing on the basis summation of slot readings which is correct as per meter manufacturer's analysis report. The energy usage trend of above consumer except Sept 2017 was in line with his previous year's trend as well as trend after meter replacement i.e. around 300 to 700 units.

e) Further, the Appellant has already paid the billed amount in Feb and Mar 2018. Hence, the Respondent prayed that the representation of the Appellant be rejected.

5. During the hearing on 11.12.2019, the Appellant and the Respondent argued in line with their written submissions. The Appellant argued that the manufacturer of the meter (Sr. No. 02453894) i.e. the Genus Company vide its letter dated 03.08.2019 has declared the meter faulty as its overall conclusion. Hence, it is not necessary to compare with other similar cases where the meter was not declared faulty by the manufacturer. This is a unique case and hence the bill of September 2017 be revised considering the report of the manufacturer. The Forum erred in not considering the faultiness of the meter declared by the manufacturer. The Appellant pressed for revision of September 2017 bill which is much in excess compared to the previous consumptions.

6. The Respondent MSEDCL argued that the bills have been generated through MRI reading instead of manual reading from September 2017 onwards. Due to mismatch of reading, first bill generated through MRI was at higher side, which the consumer has objected. The meter was tested in the laboratory of MSEDCL and the error found is within the permissible limit. There is slot reading mismatch with cumulative display reading. The Respondent stated that the reading taken through the MRI is correct and therefore, the Appellant is liable to pay the bill and this representation be rejected.

Analysis and Ruling


7. Heard the parties and perused the documents on record. Meter manufacturer certified the meter to be faulty in its report dated 03.08.2019 when it was tested at its works.

8. The Forum, while deciding the complaint has considered the MSEDCL laboratory test report which certified the accuracy of the meter to be in order, however, it has not considered the meter testing report of the manufacturer. Notwithstanding this, it cannot be denied that there was a difference between consumption arrived at by taking readings of the Main Reading Counter (MRC) and the readings summed up from Slots. This anomaly was unnoticed prior to September 2017 because the Respondent was taking readings of MRC only. Therefore, nobody

knew from when this mismatch of MRC V/s. Slots did occur. It was only when in September 2017 the Respondent took reading of Slots and compared with previous manual reading that it noticed that there was a difference in two methods of reading. Whatever may be the cause, this resulted into higher billing in the month of September 2017 which could also be seen from the previous consumption billed to the Appellant. Ideally speaking, consumption through MRC and consumption from Slots should tally for a particular period. There cannot be any difference and precisely for this, probably, manufacturer has certified the meter to be faulty. The Respondent has also submitted that as per new meter, energy consumption pattern of the Appellant is around 300 to 400 units per month. Therefore, the bill for the month of September 2017 for 8724 units is apparently on much higher side. Therefore, the Appellant's bill for the month of September 2017 needs to be revised. This revision will be on the average calculated from last twelve months' consumption prior to September 2017.

9. In view of the above, the order of the Forum is set aside. In the result, this representation is allowed, and the Respondent is directed to revise the bill of September 2017 as mentioned above.

Sd/-
(Deepak Lad)
Electricity Ombudsman (Mumbai)


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

