BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 49 OF 2026

In the matter of load reduction

Sangeeta Suryakant Nale… … …...……… … …….. ………….. ……….. …Appellant
(Cons. No. 117650008281)

V/s.

Maharashtra State Electricity Distribution Co. Ltd. Muktainagar, ……… ... ...Respondent
Jalgaon (MSEDCL)\

Appearances:

Appellant : Suryakant Nale, Representative

Respondent: 1. Shivaji R. Chavan, Executive Engineer
2. Sachin C. Panchbuddhe, Dy.Ex. Engineer, Varangaon S/Dn.

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

Date of hearing: 27th May 2026

Date of Order: 15th July 2026

ORDER

This Representation was filed on 7th April 2026 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 9th February 2026 in Case No. 90 of 2025 passed by the Consumer Grievance Redressal Forum, MSEDCL, Nashik Zone (the Forum). The Forum partly allowed the grievance application of the Appellant. The operative portion of the order is in Marathi, which is translated into English as under:

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The Respondent is directed as under:

"2. A revised plain assessment bill be issued to the consumer for a period of two years prior to September 2025 based on the load of 7.5 HP. No DPC and Interest be levied on it."

2. Aggrieved by the order of the Forum, the Appellant has filed this representation. An e-hearing was held on 27th May 2026 through video conference. Parties were heard at length. The Appellant'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 an agricultural metered consumer (No.117650008281) since 31.12.1999 with Sanctioned Load of 17 HP at post Fulgaon, Gat No. 257, Tal. Bhusawal, Dist. Jalgaon. The particulars of the connection are tabulated in Table 1.

Table 1

Appellant	Consumer No.	Address on Bill	Sanct. Load	Date of Supply	Load Reduction applied
Smt. Sangeeta Suryakant Nale	117650008281	Post Fulgaon Taluka - Bhusawal, Dist Jalgaon	17 HP	31.12.1999	On WSS Portal on 19.12.2019 (Application ID 24118761) from 17 HP to 7.5 HP

(ii) In the electricity bill, the sanctioned load has been wrongly shown as 17 HP, whereas in reality her usage was only 7.5 HP. Due to this error, she has been charged incorrect, exaggerated, and unreasonable bills. Therefore, request that the sanctioned load be corrected to 7.5 HP and the bills be revised accordingly.

(iii) The Appellant initially presented a formal application for load reduction to the Deputy Executive Engineer, MSEDCL, Varangaon on 11/12/2012; however, the then Junior Engineer, Mr. Salve, refused to accept it. Consequently, on 30/12/2017, the Appellant submitted a written grievance to the Superintending Engineer, Jalgaon, representing

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that the recorded sanctioned load of 17.00 HP was erroneous as the actual field usage was only 5.00 HP. Through this application, the Appellant formally requested the correction of the sanctioned load.

(iv) On 28/03/2019, the Appellant submitted a formal written application to the Junior Engineer, MSEDCL, Varangaon, accompanied by the original technical test report. A copy of this grievance was concurrently served to the Assistant Deputy Executive Engineer, MSEDCL, Varangaon. The submission explicitly contested the recorded 17.00 HP sanctioned load, establishing that the actual connected load on-site was 7.5 HP, and formally sought a dynamic correction of the billing records. As per the oral instructions of the Deputy Executive Engineer, Varangaon, **the Appellant applied for load reduction on the Web Self Service (WSS) portal (Application ID: 24118761) on 19/12/2019**. Despite the passage of time, this application remains unresolved and pending action at the level of the Junior Engineer, Varangaon.

(v) The Appellant, through an application under the Right to Information Act, obtained information from the Deputy Executive Engineer, MSEDCL Sub-Division, Varangaon. The information disclosed that, in the inspection report dated 15.02.2020, the then Junior Engineer, Mr. Salve (Varangaon Rural-1), recorded that no electric motor, starter, or fuse box was found at the premises and, consequently, the connected load could not be assessed. The Appellant contends that the findings recorded in the said inspection report are erroneous, arbitrary, and inherently improbable. According to the Appellant, the Respondent had been issuing electricity bills on a quarterly basis reflecting inflated and unreasonable consumption, which itself presupposes the existence of a connected electrical installation. The Appellant further submits that the inspection dated 15.02.2020 was carried out unilaterally by the then Junior Engineer without any prior notice to her and in her absence, thereby depriving her of the opportunity to remain present during the inspection and to point out the electric motor, starter, and fuse box installed at the premises. It is further submitted that the inspection was conducted in a biased and prejudicial manner. Consequently, the Appellant addressed a written application dated 26.02.2020 to the Respondent requesting that prior notice be issued before conducting any future inspection of the premises.

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(vi) On 19.03.2020, upon receiving an intimation through a mobile message from the Respondent, she remained present at her agricultural premises when the Respondent's wireman visited for inspection. During the inspection, the wireman prepared the set layout, connected load particulars, and meter inspection report, which were duly signed by the Appellant and submitted to the Respondent's office.

(vii) The Appellant by her letter dated 03.05.2024, addressed to the Executive Engineer, MSEDCL, Muktainagar, with a copy to the Deputy Executive Engineer, MSEDCL Sub-Division, Varangaon, requested that the sanctioned load of her agricultural connection be corrected from 17.00 HP to 7.50 HP with retrospective effect and that all electricity bills issued on the basis of the allegedly incorrect sanctioned load be revised accordingly.

(viii) The Appellant has also placed on record documents reflecting the status of **Online Application No. 24118761 as on 01.04.2025. According to the Appellant, by the end of March 2025, an amount of ₹7,75,640/- had been billed towards the allegedly incorrect and unused additional sanctioned load.** The Appellant contends that the said demand is erroneous, arbitrary, and contrary to law, and therefore seeks cancellation of the same along with consequential revision of the electricity bills.

(ix) Despite continuously submitting written applications, making visits, and filing online requests since 2012, no concrete action has been taken by MSEDCL. Over the past twelve years, the Appellant has suffered extreme mental stress, wastage of time, financial loss, and repeated visits to offices.

(x) As no action was taken by the Respondent on the Appellant's request for reduction of sanctioned load and revision of the bills, the Appellant filed a grievance before the Consumer Grievance Redressal Forum on 01.07.2025. In the said grievance, the Appellant sought, inter alia, (a) reduction of the sanctioned load from 17 HP to 7.5 HP with retrospective effect; (b) withdrawal of the interest and delayed payment charges levied on the disputed bills; (c) compensation of ₹50,000/- for the alleged deficiency in service; and (d) imposition of penalty upon the concerned officers of the Respondent in terms of the MERC (Standards of Performance of Distribution Licensees) Regulations, 2014.The Forum dated 13.08.2025, passed the following interim directions as below:

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a. In terms of Regulation 9.9 of the CGRF and Electricity Ombudsman Regulations, 2020, the Appellant was directed to furnish a written undertaking expressing her willingness to pay 50% of the disputed amount, excluding delayed payment charges and interest, and to make such payment within three days of receipt of the revised bill.

b. The Respondent was directed to conduct a site inspection in the presence of the Appellant within seven days, in connection with her application for reduction of sanctioned load, and thereafter to take appropriate action and submit a point-wise reply to both the Forum and the Appellant.

(xi) Pursuant to the aforesaid directions, **the Respondent issued a revised bill for 50% of the principal amount, excluding delayed payment charges and interest, for the billing month of June 2025, amounting to ₹2,79,460/-**. The Appellant paid the said amount on 28.11.2025. Earlier, on 08.09.2025, the Respondent conducted a site inspection during which the phase current of the agricultural pump and other connected installations was verified. According to the Appellant, the inspection confirmed that the agricultural pump installed at the premises had a capacity of 7.5 HP.

(xii) In view of the above, the Appellant prays that the Respondent be directed to

(a) Revise the sanctioned load from 17 HP to 7.5 HP for the period commencing 19.12.2019 up to 28.11.2025, in view of the subsequent sanction of load reduction granted by the Respondent. Consequently, direct the Respondent to revise all electricity bills for the said period by applying the tariff and charges applicable to a sanctioned load of 7.5 HP instead of 17 HP, and to extend all consequential reliefs in accordance with the Forum's Order and applicable regulations without interest, penalty or delayed payment charges.

(b) A compensation of ₹50,000/- should be awarded for mental harassment and other expenses.

(c) Penalties should be levied against the concerned officers and employees as per MERC SOP 2014.

3. The Respondent s submissions and arguments are stated as below.

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i. The Appellant is an agricultural consumer (Consumer No. 117650008281) having a sanctioned load of 17 HP since 31.12.1999. The particulars of the electricity connection are set out in Table 1.

Limitation and Maintainability:

ii. The Appellant filed the grievance before the Forum on 01.07.2025 seeking revision of the fixed charges by reducing the sanctioned load from 17 HP to 7.5 HP with retrospective effect from 19.12.2019 (i.e., quarterly billing from January 2020 onwards). The Forum has already granted relief by directing revision of the fixed charges for the retrospective period of two years preceding September 2025, i.e., from September 2023 to September 2025, having regard to the quarterly agricultural billing cycle.

The Appellant's claim for the earlier period, namely January 2020 to September 2023, is barred by limitation of two years. The cause of action for revision of the fixed charges from January 2020 had arisen more than five years and six months before the grievance was filed before the Forum on 01.07.2025. Consequently, the claim for the period prior to two years from the date of filing of the grievance was instituted well beyond the prescribed limitation period and was not maintainable before this Forum. Regulation 7.8 of the MERC (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2020, expressly provides:

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

Hence, this representation is time barred with this authority as per Regulation 7.8 of CGRF & EO Regulations 2020.

Reply on Merits:

iii. During the proceedings before the Forum, the Appellant agreed to pay 50% of the disputed amount, excluding delayed payment charges and interest. Accordingly, the Respondent issued a revised bill for ₹2,79,460/-, which the Appellant paid on 21.08.2025.

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iv. The Appellant submitted an application through the Web Self Service (WSS) portal (Application ID: 24118761) on 19.12.2019 seeking reduction of the sanctioned load from 17 HP to 7.5 HP. **At the time of online submission, the application could not be processed as the Appellant was in arrears of electricity charges**. *(Note: Although the Respondent has not produced the Consumer Personal Ledger (CPL) on record in the present proceedings, the available record indicates that the Appellant had not paid any quarterly electricity bills from 30.08.2014 onwards. Further, the CPL available on record for June 2021 reflects outstanding dues of ₹2,33,947.23.)* Subsequently, pursuant to the Forum's Interim Order, the Appellant made a part payment of ₹2,79,460/- on 21.08.2025 while the outstanding dues were Rs. 5,26,738.13 in Sep. 2025. As per directions of the Forum, the Respondent processed and approved the application for reduction of the sanctioned load from 17 HP to 7.5 HP in September 2025. Consequently, with effect from the quarterly billing month of December 2025, the Respondent has been issuing electricity bills by considering the revised sanctioned load of 7.5 HP.

v. In compliance with the Forum's order, **the electricity bills for the period from December 2023 to September 2025 were revised considering the sanctioned load as 7.5 HP**, and a credit adjustment of ₹90,804/- was granted through Revision ID 19264975. Further, a rebate of Delayed Payment Charges and Interest of ₹18,375/- was allowed.

vi. If the Ombudsman directs, and if the Respondent effects the change of load application from 17HP to 7.5 HP from January 2020 to December 2023 in the billing system, the reduction in the bill would be ₹1,35,786/-.

vii. The Respondent contended that, according to information available to it, **the Appellant had sold the subject property to third parties at least two years ago.** The present owner is pursuing clearance of the outstanding dues pertaining to the electricity connection as part of the internal arrangement between the parties. The Appellant did not disclose or furnish the relevant documents relating to the transfer of the property. The Appellant had consumed the electricity and, therefore, remains liable to pay the outstanding dues in accordance with the provisions of the Maharashtra Electricity

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Secretary
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Regulatory Commission (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021. The Appellant has not approached this authority with clean hands.

viii. As per the applicable tariff under the MERC Tariff Order, the Appellant's quarterly electricity bill for the billing period of March 2025 would ordinarily have been ₹60,302/-. However, after grant of the applicable concession, the bill for the said quarter was reduced to ₹38,362/-. The record reveals that the Appellant has not paid any outstanding electricity dues since 30.08.2014, despite continuously availing electricity supply. During this period, the Government of Maharashtra introduced various schemes, including the *Abhay Yojana*, for the benefit of agricultural consumers to facilitate settlement of outstanding dues. However, the Appellant neither availed the benefit of any such scheme nor made any substantial payment towards the outstanding arrears, while continuing to avail electricity supply throughout the period.

ix. In view of the above, the Respondent prays that the representation of the Appellant be rejected.

Analysis and Ruling

4. Heard the parties and perused the documents on record.

5. The principal issue for determination is whether the Appellant is entitled to retrospective reduction of the sanctioned load from 17 HP to 7.5 HP from January 2020 as per online application dated 19.12.2019, and onwards and consequential revision of the electricity bills.

6. The record reveals that the Appellant had submitted an online application through the WSS portal on 19.12.2019 seeking reduction of the sanctioned load from 17 HP to 7.5 HP. The Appellant had also addressed several representations to the Respondent both before and after filing the online application. The Respondent rejected this application as the Appellant was in arrears. It was ultimately approved only on 28.11.2025 after the Appellant paid about 50% amount of Rs. 2,79,460/- pursuant to the interim directions of the Forum.

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7. The subsequent site inspection carried out by the Respondent established that the agricultural pump installed at the premises was of 7.5 HP capacity. On the basis of the said inspection, the Respondent itself sanctioned the reduction of the load from 17 HP to 7.5 HP. Thus, there is no dispute regarding the correctness of the revised sanctioned load.

8. The Respondent has opposed the claim mainly on the ground of limitation under Regulation 7.8 of the MERC (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2020. It is true that the grievance was filed before the Forum on 01.07.2025 and that the claim for the earlier period would ordinarily fall beyond the prescribed period of limitation. However, the present case discloses exceptional circumstances. The Appellant had applied for reduction of the sanctioned load on 19.12.2019. The Appellant failed to pay the quarterly electricity bills in time, resulting in accumulated arrears. As a result, the Respondent rejected the application on the ground of outstanding arrears. There have been similar cases in the past where the Respondent, as a policy, rejects applications for load reduction due to unpaid arrears. This creates a Catch – 22 situation, whereby inflated bills lead to further accumulation of arrears. In this situation, a reduction in load, if granted, would benefit both parties. Bills would be reduced, the consumer would be more likely to pay the bills, and the revenue stream of the Respondent would also continue.

9. It is a settled principle that no consumer should be compelled to bear recurring fixed charges based on a sanctioned load which the distribution licensee itself subsequently finds to be excessive and accordingly reduces. Once the Respondent accepted that the appropriate sanctioned load was 7.5 HP, the consequential revision of billing ought, in the ordinary course, to relate back to the date on which the Appellant submitted the application for reduction. The Respondent has contended that the application could not be processed due to the outstanding arrears. We find this policy to be unfair and counter – productive. The Respondent cannot justify continuation of billing on the higher sanctioned load even after it accepted that the appropriate sanctioned load was only 7.5 HP. Significantly, the Respondent has itself quantified the financial impact of retrospective reduction of the sanctioned load from January

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Secretary
Electricity Ombudsman Mumbai

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2020 to December 2023 at ₹1,35,786/-, thereby acknowledging that such retrospective revision is technically feasible within its billing system.

10. Having regard to the facts and circumstances of the case, this Authority is of the considered view that the ends of justice would be met by granting retrospective effect to the reduction of the sanctioned load from the quarterly billing period commencing January 2020, with consequential revision of the fixed charges and proportionate adjustment of the delayed payment charges and interest attributable to such revised fixed charges. However, the Appellant shall remain liable to pay the actual energy charges and all other charges lawfully recoverable under the applicable tariff and the Supply Code. At the same time, there is no justification for waiving the entire delayed payment charges and interest, as the Appellant failed to pay even a part of the electricity bills for the energy actually consumed over a prolonged period. Accordingly, only the proportionate delayed payment charges and interest arising from the revision of the fixed charges shall be adjusted, while the remaining delayed payment charges and interest shall continue to be payable by the Appellant. The order of the Forum is reasoned and well-founded. However, for the reasons recorded hereinabove, it requires modification to the extent indicated below.

11. The Representation is partly allowed, and the Respondent is directed to:

a) Revise the sanctioned load of the Appellant's agricultural connection from 17 HP to 7.5 HP with effect from the quarterly billing period commencing January 2020, being the period immediately following the Appellant's online application dated 19.12.2019, and to revise the electricity bills from January 2020 onwards by recalculating the fixed charges on the basis of the revised sanctioned load of 7.5 HP, & to issue assessed bill as per 7.5 HP sanctioned load, and grant due credit for the excess fixed charges recovered. Consequential interest shall be recalculated and reduced only to the extent attributable to the excess fixed charges recovered, and not on the entire outstanding amount.

b) The Appellant shall remain liable to pay the revised energy charges and all other lawful charges payable in accordance with the applicable tariff and the provisions of

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the MERC (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021.

c) Permit the Appellant to pay the outstanding amount in 5 equal monthly instalments. In the event of default in payment of any instalment on or before its due date, the Respondent shall be at liberty to levy proportionate interest on the overdue amount and take such action for recovery as may be permissible under the applicable law and the relevant provisions of the Supply Code.

d) The Respondent shall submit a compliance report to this Office within two months from the date of issuance of this Order.

e) The remaining prayers of the Appellant stand rejected.

12. The Representation is disposed of accordingly.

13. The secretariat of this office is directed to refund the amount of Rs.25,000/- taken as deposit to the Respondent to adjust in the Appellant's ensuing bill.

Sd/
(Vandana Krishna)
Electricity Ombudsman Mumbai

(Dilip Dumbre)
Secretary
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