

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 177 OF 2019

In the matter of billing

Mr. Sunilkumar Rajnath Sharma..... Appellant

V/s.

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

Appearances

For Appellant : Mr. J. S. Rajput, Representative

For Respondent : Mr. Dhananjay D. Patil, Junior Engineer, Kalyan (R)

Coram: Mr. Deepak Lad

Date: 14th November 2019

ORDER

This Representation is filed on 17th September 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 22nd May 2019 passed by the Consumer Grievance Redressal Forum, MSEDCL, Kalyan Zone (the Forum).

2. The Forum, by its order dated 22nd May 2019 has allowed the grievance application in Case No. 1565/1865 of 2018-19. The operative part of the order is as below: -

“2) Impugned bill be revised by removing interest and DPC and excess be refunded.

3) Distribution Licensee to pay Rs. 1000/- by way of compensation to the consumer.”

3. Aggrieved by the order of the Forum, the Appellant has filed this representation as under:-

- (i) The Appellant is Residential Consumer (No. 020090010655) at Chawl No. 1, Room No. 8, Shri Tisai Chawl, Varap, Kalyan from 01.05.2017. The Appellant is residing in a single room. The said connection was released and all formalities with the Respondent were completed by the Builder who had constructed the said chawl. Meter No. 07628403 was installed, but no reading nor any bill was issued.
- (ii) Suddenly, the Respondent issued bill of Rs.10990.00 for reading of 1791 units for the month of Dec 2018. As the bill was not paid, the said connection was disconnected without any notice.
- (iii) The Appellant paid the said bill along with reconnection charges subsequently. The said meter was replaced by another meter No.40603363 HPL make, which had the reading of 03571 units.
- (iv) The Appellant had, from time to time, orally complained to the Section Office about the non-receipt of bills from 01.05.2017 but complaint in writing was not possible since he did not have the concerned papers with him. After disconnection, the said documents were obtained from the builder.
- (v) The Appellant states that the said meter No. 07828403-Genus was purposefully disconnected because at the time of installing the meter, the said meter was of Consumer No. 020083103575 and by mistake it was shown against Consumer No. 020090010655. To hide their mistake, the officials of the Respondent installed the meter of some another consumer whose meter No. 40603363 showing the reading of 3579. This action of the Respondent of inter changing the number of the meter has resulted into payment of some other consumer's bill by the Appellant. This is gross injustice caused to the Appellant.
- (vi) The Respondent was requested to resolve the grievance; however, the Respondent did not resolve the grievance.
- (vii) The Appellant filed a grievance application in Internal Grievance Redressal Cell (IGRC) on 31.01.2019 and then the Forum. The Forum by its order dated 22nd May 2019 has not given enough relief.

(viii) The Appellant prayed for withdrawal of the wrong bill, grant of compensation under Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2014 (SOP Regulations) and award of Rs.50000/- towards agony.

4. The Respondent, by its letter dated 07.10.2019 states as under: -

- (i) The Appellant is a residential consumer (No.020090010655) having sanctioned load of 1 KW at Chawl No. 1, Room No. 8, Shri Tisai Chawl, Varap, Kalyan from 01.05.2017. The meter of HPL make having No. 40603363 was installed at the time of release of supply.
- (ii) However, in Computerized Billing System, the meter No. 7828403 of Genus make was wrongly punched.
- (iii) Meter was not read from June 2017 to July 2018. The reading on the meter No. 7828403-Genus make was 1389 units in August 2018. Accordingly bill of Rs.8090/- was generated for 1389 units for 15 months. The bill of the Appellant against meter No. 7828403 in December 2018 was Rs.10,990/- for 1791 Units. The Appellant was therefore billed with for wrong meter number for reading up to 1791 units.
- (iv) As the Appellant did not pay the said bill, the supply of the Appellant was permanently disconnected by removing the meter No. 40603363-HPL, which was physically connected at the premises, with reading 3501 Units in January 2019. The Appellant paid the generated bill of meter No. 7828403-Genus for Rs.10990/- for 1791 units on 10.01.2019. The meter No. 40603363-HPL was reconnected in February 2019. While doing paperwork to feed the Billing System, initial reading was mistakenly fed as 1(one). As a result, the Appellant was billed (3501 – 1) for 3500 units. As a matter of fact, the Appellant was already billed for consumption of 1791 units may be of wrong meter which was not physically at site. The Appellant should have been billed for (3501-1791) 1710 units.
- (v) Meter No. 40603363-HPL (the meter physically present on the site) was finally taken on record and the Appellant was issued minimum bill from Feb

2019 to Jun 2019. Bill for the month of July 2019 was generated for 3702 (3703-1) Units for Rs.58884.49 however it was not issued to the Appellant.

- (vi) As the Appellant was already billed for 1791 units, the bill was therefore revised for 1912 (3703-1791) Units for Rs.15910/-. Slab benefit from January 2019 to July 2019 was given.
- (vii) From then onwards regular bills were issued as per meter reading. As the issue is resolved, the representation may be disposed of.

5. The hearing in the matter was held on 10.10.2019. During the hearing, the Appellant and the Respondent argued in line with their written statement. The Appellant's argued that Meter No. 07628403 was installed initially at the Appellant's premise. Though the Appellant was billed with considerable delay, but finally for Rs.10990.00 with reading of 1791 units for the month of Dec 2018. The supply was disconnected. After payment it was reconnected with different meter having No. 40603363 having initial reading of 3571 units which was used by another consumer. The Respondent is trying to recover this consumed units from the Appellant illegally without any technical base. Hence the Appellant prayed for withdrawal of the wrong bill, grant of compensation as per SOP Regulations and award of Rs.50000/- compensation towards agony.

6. The Respondent argued in hearing that the Meter No. 40603363-HPL was initially installed on 01.05.2017. The disconnection of the supply was done by removing the said meter and after payment, the said meter was installed to the Appellant's premise. The Appellant consumed the electricity and hence the Appellant has to pay it. In between the Appellant was billed for consumptions shown against meter No. 07628403 which was in some one else's name and was not physically installed at the Appellant's site. This wrong punching in the system has been rectified and the bills have been corrected.

7. During course of hearing on 10.10.2019, the Respondent was directed to send the detail report to get more clarity in the issue. The Respondent submitted detail report by its letter dated 30.10.2019.

Analysis and Ruling

8. I perused the documents on record. The Appellant is residential consumer (No. 020090010655). Though the connection was released in May 2017, the same was unbilled up to August 2018. The meter No. 40603363 of HPL was installed at the time of release of supply on 01.05.2017. The meter No. 7828403-Genus was wrongly shown on the bill of the Appellant. In fact, the meter No. 7828403-Genus was allotted to the Consumer No. 020083103575 in the name of Shri Santosh Bagve, Flat No. 304, Sairaj Construction, Ganeshnagar, Mharal. According to the Respondent, there was mistake in feeding proper number of the meter in the system which created confusion and resulted in issue of inappropriate bill. This mistake in the Billing System is rectified and the Appellant is billed with the meter No. 40603363 of HPL as per actual meter reading. The consumption which was against meter No. 7828403 and debited against the Appellant has been adjusted and all bills have been suitably rectified. While perusing the report of MSEDCL dated 30.10.2019 it is seen that other meters in the said chawl are of HPL make and are having serial numbers in chronology matching with that of the Appellant's meter No. 40603363. Therefore, I am convinced that at no point of time meter No. 7828403 was installed at the Appellant's premises.

9. I proactively checked the billing status from MSEDCL website in respect of Appellant's Consumer No. 020090010655 and other Consumer No. 020083103575 standing in the name of Santosh Bagave which is wrongly connected with the Appellant for the purpose of billing. I noticed that despite this case being litigated in consumer grievance redressal mechanism right up to the level of Electricity Ombudsman, the Respondent has not learnt a lesson from the past mistakes. Both these consumers are apparently not being billed properly as could be seen from today's data available on the website. It is, therefore, incumbent for the Respondent to look into the matter and resolve the issues, if any.

10. In view of the above, the Respondent is directed:-


- (a) To revise the bill as per actual reading of meter No. 40603363 of HPL make alongwith withdrawal of interest and delayed payment charges till date.

- (b) To pay fine of Rs.1000/- additionally to the Appellant by way of adjustment in the ensuing bill.
- (c) To check the current billing status of both the consumers and discrepancies, if any shall be resolved within one month from the date of issue of this order.
- (d) To report compliance of this order within two months from the date of this order.

11. The order of the Forum is modified to the extent above and other prayers of the Appellant are not accepted.

12. The representation is disposed of accordingly.

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


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

