BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 69 OF 2026

In the Matter of Recovery of Outstanding Dues from a Permanently Disconnected (PD) Consumer

Chintamani Industries……. …… …… .. ..Appellant
(Con. No. 176491293048)

V/s.

Maharashtra State Electricity Distribution Co. Ltd., Rajgurunagar Dn. ……. ..…Respondent (MSEDCL)

Appearances:

Appellant : Babasaheb Sadashiv Thakur

Respondent : 1. Keshav Kalumali, Executive Engineer, Rajgurunagar Dn.
2. Umesh Patil, Dy. Executive Engineer, Chakan Sub.Dn.

Coram: Vandana Krishna [IAS (Retd.)]

Date of hearing: 7th October 2026

Date of Order : 17th November 2026

ORDER

This Representation was filed on 29th June 2026 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations, 2020) against the order dated 7th May 2026 in Case No. 156 of 2025 passed by the Consumer Grievance Redressal Forum, Pune (the Forum).

The Forum disposed of the Appellant's grievance, observing that the Respondent's reply was vague and incomplete, with no satisfactory explanation regarding the abnormal bill for March 2022, i.e., the debit entry of ₹10,18,294.02 reflected in the CPL, or the applicability of the Amnesty Scheme. It further observed that the Flying Squad report had given an incomplete report which created the fictitious outstanding dues reflected in CPL. The complaint was disposed of as not maintainable under Regulation 7.9(c) of the CGRF & EO Regulations, 2020.

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2. The Appellant has filed this representation against the order of the Forum. A physical/ e-hearing was held on 7th October 2026 when the Appellant was physically present and the Respondent through video conferencing. Both parties were heard. 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, Babasaheb Sadashiv Thakur, was an industrial consumer bearing Consumer No. 176491293048 since 27.09.1998. The details of the electricity connection, Flying Squad inspection and site verification report dated 28.06.2022 are summarized in the following table:

Table 1

Name of Consumer	Consumer No.	Address	Sanctioned Load	Date of Supply	Date of inspection by Flying Squad	Site Verification Report dated 28.06.2022	Debit Bill Adjustment
Chintamani Industries	176491293048	Survey No. 723, at Post Markal, Tal.khed	20 HP	27.09.1998	During inspection on 18.10.2021, a Secure meter (Sr. No. MSU 05559) with reading of 1,41,120 kWh was found at site, which did not match the meter recorded in the bill, having No. 75503989.	No use was observed at the premises. Meter No. MSU 05559 recorded 1,41,160 kWh, and the supply was found disconnected.	₹10,18,294.02 towards 1,41,154 units (unbilled) in bill of March 2022

(ii) The Appellant established an industrial unit under the name and style of *Chintamani Industries* in 1998 on a plot admeasuring approximately 1.25 acres (equivalent to 50 gunthas). Initially, the unit comprised an RCC structure admeasuring approximately 1,000 sq. ft. and a patra shed measuring 40 ft. × 25 ft., with a stated total usable area of approximately 2,000 sq. ft. The said premises were provided with an electricity connection bearing Consumer No. 176491293048, with a sanctioned load of 20 HP from 27.09.1998. Subsequently, the Appellant constructed an additional industrial premises admeasuring approximately 11,000 sq. ft. on the same plot. Accordingly, in 2009, the Appellant applied for a separate electricity connection for the additional industrial premises. The separate connection, bearing Consumer No. 176490004450, was initially sanctioned for a load of 60 HP with effect from 20.11.2009, which was subsequently enhanced to 200 HP. Thus, the property was bifurcated into two portions for electricity supply purposes, namely: (a) the existing industrial premises admeasuring approximately 2,000 sq. ft., served through Consumer No. 176491293048 with a sanctioned load of 20 HP; and (b) the additional industrial premises admeasuring approximately

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11,000 sq. ft., served through Consumer No. 176490004450, with the sanctioned load subsequently enhanced to 200 HP.The Appellant contended that electricity bills for the old Consumer No. 176491293048 were regularly paid under the Industrial Tariff category from the commencement of industrial operations until 2021, and that bills in respect of the other newer connection bearing Consumer No. 176490004450 have also been regularly paid till date.

(iii) The Appellant entered into a Leave and License Agreement dated 18.09.2019 with Elixa Technologies Pvt. Ltd. in respect of the premises served by the new electricity connection bearing Consumer No. 176490004450, having a sanctioned load of 60 HP, for a period of 60 months (5 years) commencing from 01.10.2019 and ending on 30.09.2024, for carrying out industrial activities. The agreement was duly registered with Assistant Joint Registrar Khed No. 2 (Pune) on 19.10.2019 by paying the requisite stamp duty.

(iv) During the COVID-19 pandemic, from 2021 onwards, the Appellant permitted Elixa Technologies Pvt. Ltd. (Haber Unit) to temporarily use a portion of the Appellant's other shed, admeasuring approximately 2,000 sq. ft., **on a rental basis for storage of goods, primarily materials related to COVID-19.** The premises were served by electricity connection bearing Consumer No. 176491293048, having a sanctioned load of 20 HP. The Appellant relied upon a Purchase/Service Order issued by Elixa (Haber) in his favor, recording the rental of 2,000 sq. ft. of land for a period of three months, from 17.09.2021 to 17.12.2021. *[Note: The Appellant did not produce any rental agreement for this purported transaction. Only one registered rental agreement is on record, dated 01.10.2019.]*

(v) The Flying Squad of the Respondent inspected the premises on 18.10.2021 without the knowledge of the owner. The Appellant contended that the occupier was also not taken into confidence during the inspection and preparation of the inspection report.

(vi) The Respondent raised a supplementary bill of ₹10,18,294.02 towards 1,41,154 units and included the same in the electricity bill for March 2022, thereby causing considerable shock and hardship to the Appellant on receiving such a huge bill.

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(vii) The Appellant contended that the electricity bills had been raised on the basis of actual meter readings every month up to May 2018, with the initial meter reading of 1,39,465 kWh and the final reading of 11,39,679 kWh. He further stated that the monthly consumption from January 2013 to March 2015 was generally in the range of 700 to 1,800 units for industrial purposes. However, due to business-related difficulties, consumption had substantially reduced to 0–300 units per month during April 2015 to May 2018. Thereafter, the use of the premises was negligible. However, the Respondent was billed with zero units per month till the date of inspection. The meter was working till the inspection. The previous meter of the Appellant was never changed and the same meter was working. So there was no reason for the large abnormal bill.

(viii) In 2022, the Appellant verbally approached the Respondent seeking revision of the disputed bill. Accordingly, the Respondent carried out a site inspection on 28.06.2022, during which the premises were found to be not in use and the electricity supply was already disconnected. The meter installed at the site, bearing Serial No. MSU 05559, recorded a reading of 1,41,160 kWh. The Respondent, however, failed to resolve the Appellant's complaint regarding the excessive electricity bill.

(ix) In 2022, the Appellant approached the Billing Section and various authorities of the Respondent, requesting a copy of the Consumer Personal Ledger (CPL). Accordingly, the Respondent generated the CPL covering the period from January 2013 onwards.

(x) Vide letter dated 07.05.2025, the Appellant requested the Respondent to revise the abnormal bill and submitted relevant supporting documents, including the Consumer Personal Ledger (CPL), Flying Squad Report, Lease Agreement and Bank Passbook entries evidencing receipt of rent. However, the Respondent neither considered the documents nor revised the disputed bill.

(xi) The Appellant filed a grievance before the Forum on 01.07.2025 seeking revision of the abnormal bill. The Forum noted the Respondent's failure to satisfactorily explain the debit entry of ₹10,18,294.02 in the CPL for March 2022, the applicability of the Amnesty Scheme and the incomplete Flying Squad report,

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which had resulted in fictitious outstanding dues. However, instead of granting any effective relief, the Forum disposed of the grievance under Regulation 7.9(c) of the CGRF & EO Regulations, 2020, without addressing the issue of fictitious billing.

(xii) The Appellant, therefore, prayed that his application be considered sympathetically and appropriate relief be granted by revising the disputed bill, without levy of interest and delayed payment charges. The Appellant expressed his willingness to pay the revised bill accordingly.

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

(i) The Appellant was an industrial consumer bearing Consumer No. 176491293048, with an electricity connection dating back to 27.09.1998. The details of the connection are set out in Table 1 above.

(ii) The Flying Squad, Pune Rural Circle, inspected the electrical installation at the Appellant's premises on 18.10.2021. During the inspection, it was observed that the premises were being used as a godown (warehouse). The meter particulars and current and voltage measurements recorded during the inspection are detailed in Tables 2 and 3, respectively.

Table 2:

Meter Details	***Particulars***
Whether meter installed in meter box or not	*In meter Box.*
Meter Serial Number as per Bill	*No. 75503989*
Actual Meter Serial Number at site	*Sr. No. MSU 05559*
Meter Make	*Secure*
Details of Seals & its condition	*Okay*
Meter Reading	*1,41,120 kWh*

Table 3: The Current & Volt Measurement**:**

Current & Volt Measurement	***R Phase***	***Y Phase***	***B Phase***
Current measured at incoming Supply (Amp.)	*1.14*	*Nil*	*Nil*
Current on Energy Meter (Amp.)	*1.16*	*Nil*	*Nil*
Voltage measuresd at Terminal Points (V)	*238*	*240*	*239*
Voltage on Meter Display (V)	*240*	*241*	*240*

The following irregularities were observed during the inspection:

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1) *Difference in Tariff: As per use, tariff should be LT-II< 20 kW (godown instead of industrial)*
2) *Meter Serial Number mismatch with bill & site Meter Serial Number is MSU 05559.*
3) *Billed zero units since long back, and accumulation of 1,41,120 units.*

(iii) In March 2022, the Respondent raised a bill for 1,41,154 accumulated units, amounting to ₹10,18,294.02. As the Appellant failed to pay the said amount, the electricity supply to the premises was **permanently disconnected in June 2022**.

(iv) The Appellant approached the Respondent only in 2025 by an application dated 07.05.2025. In reply, vide letter dated 27.05.2025, the Respondent informed the Appellant that the connection was sanctioned under the industrial category, whereas the premises were being used for commercial purposes, warranting recovery of the differential tariff.

(v) The Appellant thereafter approached the Forum on 01.07.2025 by filing Case No. 156 of 2025. The Forum, vide order dated 07.05.2026, disposed of the grievance under Regulation 7.9(c) of the CGRF & EO Regulations, 2020.

(vi) Pursuant to the directions of the Electricity Ombudsman's office, the Sub-Division Office inspected the Appellant's premises (Consumer No. 176491293048) on 10.09.2026. During the inspection, the premises were found closed, with no industrial or commercial activity.

(vii) **The Respondent contended that the grievance was barred by limitation under Regulation 7.9(c) of the CGRF & EO Regulations, 2020, as the Appellant had approached the Forum after a delay of 3 years and 5 months from the alleged cause of action, beyond the prescribed period of two years.**

(viii) In view of the above, the Respondent prayed that the Appellant's representation be rejected and that the Appellant be directed to pay the outstanding dues pertaining to the permanently disconnected (PD) consumer at the earliest.

Analysis and Ruling: -

4. Heard the parties and perused the documents on record. The details of electric connection are tabulated in Table 1. Chintamani Industries held a 20 HP industrial connection (Consumer No. 176491293048) since 27.09.1998. In 2009, a separate 60 HP industrial connection

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(Consumer No. 176490004450) was obtained for the larger premises, while the existing connection continued to serve the 2,000 sq. ft. shed. Both connections were billed under the industrial tariff, and the bills were regularly paid. The load of the separate connection was subsequently enhanced to 200 HP, which continues to remain operational satisfactorily.

5. The Appellant contended that it established *Chintamani Industries* in 1998 on a 1.25-acre plot, initially comprising 2,000 sq. ft. of industrial premises, supplied through Consumer No. 176491293048 with a sanctioned load of 20 HP. Subsequently, an additional industrial premises of approximately 11,000 sq. ft. was constructed, for which a separate connection (Consumer No. 176490004450) was obtained in 2009, initially for 60 HP and later enhanced to 200 HP. The Appellant entered into a registered Leave and Licence Agreement dated 18.09.2019 with Elixa Technologies Pvt. Ltd. for five years (01.10.2019 to 30.09.2024) for industrial activities in premises served by Consumer No. 176490004450 (60 HP). From 2021, during COVID-19, a portion of the other shed (2,000 sq. ft.), served by Consumer No. 176491293048 (20 HP), was temporarily rented to the same company for storage of goods, mainly COVID-19-related materials. The Flying Squad inspected the premises on 18.10.2021 without informing the Appellant or involving the occupier and recorded meter no. MSU 05559 with a reading of 1,41,120 kWh, which did not match the meter number reflected in the bills. Although the meter was functioning, the Respondent had been raising zero-unit bills since May 2018. Subsequently, in March 2022, the Respondent raised an abnormal bill of ₹10,18,294.02 for 1,41,154 accumulated units. Despite the Appellant's verbal requests in 2022 and written representation dated 07.05.2025, supported by the CPL and relevant documents, the Respondent failed to revise the bill. The Forum, while noting the unexplained debit entry of ₹10,32,214.86, incomplete Flying Squad Report and allegedly fictitious outstanding dues, disposed of the grievance under Regulation 7.9(c) of the CGRF & EO Regulations, 2020, being time barred, without granting effective relief. The Appellant therefore sought revision of the disputed bill and waiver of interest and delayed payment charges, expressing willingness to pay the revised amount.

6. The Respondent contended that the Flying Squad inspected the Appellant's premises on 18.10.2021 and found it being used as a godown, warranting LT-II commercial tariff instead

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of industrial tariff. It also noticed a mismatch in the meter serial number (actual No. MSU 05559 against billed No. 75503989) and accumulation of 1,41,120 units due to zero-unit billing. Accordingly, a bill of ₹10,18,294.02 for 1,41,154 units was raised in March 2022, which remained unpaid, resulting in **permanent disconnection in June 2022. The Appellant approached the Respondent only in May 2025** and subsequently filed Case No. 156 of 2025 before the Forum, which was disposed of under Regulation 7.9(c) vide order dated 07.05.2026. The Respondent further stated that the premises were found closed during inspection on 10.09.2026 and that the grievance was barred by the two-year limitation under Regulation 7.9(c), having been filed after 3 years and 5 months. It therefore prayed for dismissal of the representation and recovery of outstanding dues.

7. The Appellant's consumption pattern, as reflected in the Consumer Personal Ledger (CPL) for the period from April 2013 to March 2023, is summarized in the following table:

Table 4: Year-wise Consumption Pattern of the Appellant

Year	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23
Month	Cons. (Units)	Cons. (Units)	Cons. (Units)	Cons. (Units)	Cons. (Units)	Cons. (Units)	Cons. (Units)	Cons. (Units)	Cons. (Units)	Cons. (Units)
Apr	1313	1164	440	259	316	451	0	20	0	0
May	1189	1035	597	227	0	214	0	20	0	0
Jun	1099	858	342	143	0	100	0	0	0	8
Jul	1547	849	385	143	0	0	0	0	0	0
Aug	1220	957	471	429	0	0	0	0	0	0
Sep	1538	668	237	333	289	0	0	0	0	0
Oct	1656	1011	228	0	0	0	0	0	0	0
Nov	0	256	449	213	0	0	0	0	0	0
Dec	1945	907	374	0	0	0	0	0	0	0
Jan	876	695	183	0	0	0	0	0	0	0
Feb	1037	675	0	521	278	0	0	0	0	0
Mar	1941	801	612	0	278	0	0	0	**141154**	0
Total Cons	**15361**	**9876**	**4318**	**2268**	**1161**	**765**	**0**	**40**	**141154**	**8**
Avg./Mth	**1280**	**823**	**360**	**189**	**97**	**64**	**0**	**3**	**11763**	**1**
Note:	1. In May 2018, meter No. MSU05559 was found installed, recording an initial reading of 1,39,465 kWh and a current reading of 1,39,679 kWh, with consumption of 214 units. Although meter replacement was recorded in June 2018, showing replacement by meter No. 75503989 with intial reading of 000004 kWh, no physical meter change had taken place. The meter working in May 2018 as per the Bill was found physically in FS Report dated 18.10.2021.									
	2.The Appellant's electricity supply was found to have been permanently disconnected in June 2022.									

The records of CPL indicate that meter no. MSU05559 was physically installed at the Appellant's premises prior to January 2013, with an initial reading of 1,02,568 kWh. In May

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2018, the same meter recorded a reading of 1,39,465 kWh initially and 1,39,679 kWh finally, reflecting consumption of 214 units. Although the billing records showed its replacement in June 2018 by meter No. 75503989, with an initial reading of 000004 kWh, no physical replacement had taken place. *(Note: The Respondent failed to explain the reason for meter replacement in billing).* This is corroborated by the Flying Squad Inspection Report dated 18.10.2021, which recorded meter No. MSU05559 as physically installed, with a reading of 1,41,120 kWh, and found its functioning satisfactory, with the seals intact. Thus, it can be reasonably inferred that between May 2018 and Oct. 2021, the meter reading had progressed from 1,39,679 kWh to 1,41,120 kWh, with consumption of 1481 units. It is not clear why zero-consumption bills were issued during this period. Apparently, the system / software was reading the wrong meter (No.75503989). Later, the Site Verification Report dated 28.06.2022 recorded that the premises were not in use at that time, and the same meter showed a reading of 1,41,160 kWh, and the electricity supply stood disconnected. The Respondent should therefore revise the bill based on the actual recorded consumption of 1,481 units (1,41,160 – 1,39,679 units).

8. Considering the various submissions of the parties, the following issues are framed for determination of the case.

Issue	Particulars
Issue 1	Whether the Respondent was justified in raising the disputed bill of ₹10,18,294.02 for 1,41,154 units on the basis of the Flying Squad Inspection dated 18.10.2021, despite meter No. MSU05559 being found physically installed and functioning satisfactorily?
Issue 2	Whether the differential tariff on account of change in use from Industrial to Commercial category is required to be applied, and if so, with effect from which date?

Findings on Issues

Issue No. 1: On examination of the Flying Squad Inspection Report dated 18.10.2021 and the material available on record, it is observed that meter no. MSU05559 was physically installed at the premises and found functioning satisfactorily. The Respondent has failed to establish any defect, malfunction, tampering or other irregularity in the meter to justify the assessment of 1,41,154 units. In the absence of cogent evidence supporting such assessment, the disputed bill of ₹10,18,294.02 is not sustainable. Accordingly, the Respondent's action in raising the said bill is held to be unjustified. **The Issue No. 1 is answered in the Negative**.

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Issue No. 2: On consideration of the material available on record, it is observed that the premises were required to be classified on the basis of their actual use. The change in use from Industrial to Commercial is tentatively established with effect from October 2019, when the Appellant reportedly rented out the premises to Elixa Technologies Pvt. Ltd. The Appellant failed to produce any rent agreement in respect of the extra premises (Patra Shed). The Flying Squad Inspection dated 18.10.2021 revealed that the said premises were being used for godown purposes. Thus, the actual use of the premises supports the applicability of the Commercial tariff with effect from October 2019. Accordingly, the Respondent shall reassess the differential tariff arising out of the change in category from Industrial to Commercial from the said date, after giving due credit for the amounts already billed and paid by the Appellant. **Issue No. 2 is answered in the Affirmative.**

9. The Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Standards of Performance of Distribution Licensees including Power Quality) Regulations, 2021 came into force on 25.02.2021. The relevant provisions governing the recovery of outstanding electricity dues in cases of permanently disconnected (PD) connections are reproduced below:

> *"12.5: Any charge for electricity or any sum other than a charge for electricity due to the Distribution Licensee which remains unpaid by a deceased Consumer 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"***
>
> ***16. Billing ……. ……. …….***
>
> *16.9.2. No sum due from any Consumer shall be recoverable after the period of Two (2) years from the date when such sum became first due unless such sum has been shown continuously as recoverable as arrear of charges for electricity supplied as per Section 56 (2) of the Act except for permanently disconnected Consumer.*
>
> *16.9.3. In case of premises which are permanently disconnected or demolished for reconstruction, the liability of the arrears, if any, shall be passed on to the owners / occupiers……* ***(Emphasis added)***

A conjoint reading of the above provisions makes it clear that the two-year restriction on recovery prescribed under Regulation 16.9.2 expressly excludes permanently disconnected consumers. Further, Regulations 12.5 and 16.9.3 provide for the recovery of outstanding

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electricity dues by transferring the liability to the legal representatives, successors-in-interest or subsequent owners/occupiers, as applicable. Therefore, the Respondent's right to recover legitimate outstanding dues relating to a permanently disconnected connection is not extinguished merely on account of the expiry of two years. The limitation prescribed under Section 56(2) of the Electricity Act, 2003, is also subject to the statutory exception applicable to permanently disconnected consumers under the aforesaid Regulations.

10. In view of the above Regulations, the Respondent is entitled to recover legitimate outstanding dues of the permanently disconnected Consumer No. 176491293048. However, the Respondent shall verify the actual meter readings and revise the bill by excluding fictitious or unsupported arrears. Regulation 7.9(c) of the CGRF & EO Regulations, 2020, does not extinguish the right to recover such legitimate dues.

11. The Forum's Order is hereby set aside, as the Forum failed to examine in depth the fictitious billing undertaken by the Respondent. The present case is exceptional, wherein the Respondent unjustifiably raised an additional bill of ₹10,18,294.02 towards 1,41,154 unbilled units in the bill of March 2022, without proper justification. Such billing has resulted in an unwarranted financial burden on the Appellant. Accordingly, considering the exceptional circumstances, the Respondent is advised cum directed to revise the legitimate and final bill of the Permanently Disconnected (PD) consumer by:-

a) considering the actual recorded consumption of 1,481 units, as calculated in Para 7 above;
b) applying the Commercial Tariff from October 2019 up to the date of permanent disconnection, i.e. June 2022;
c) withdrawing the interest and Delayed Payment Charges (DPC) levied from March 2022 to June 2022; and
d) extending the benefit of the PD Amnesty Scheme to the Appellant, subject to the Appellant's willingness and fulfilment of the eligibility conditions under the Scheme.

12. The Respondent shall submit a compliance report to this office within two months from the date of this order.

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13. The Representation is disposed of in the above terms.

14. The Secretariat of this office is directed to refund the deposit of ₹ 25,000/- received from the Respondent for adjustment against the PD arrears.

Sd/
(Vandana Krishna)
Electricity Ombudsman (Mumbai)

(Dilip Dumbre)
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