

# BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

## REPRESENTATION NO. 21 OF 2022

In the matter of excess billing

Devidas Dattatray Deshmukh ..... Appellant  
(Shree Ganesh Rice Mill)

V/s.

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

Appearances:

Appellant : Devidas Dattatray Deshmukh

Respondent : M.B. Thakare, Executive Engineer, Rajgurunagar Division


**Coram: Vandana Krishna (Retd. IAS)**

Date of hearing: 1<sup>st</sup> April 2022

Date of Order : 8<sup>th</sup> April 2022

## ORDER

This Representation is filed on 24<sup>th</sup> January 2022 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2020 (CGRF Regulations 2020) against the Order dated 20<sup>th</sup> October 2021 passed by the Consumer Grievance Redressal Forum, MSEDCL, Pune Zone (the Forum).


  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



2. The Forum, by its order dated 20.10.2021 has rejected the grievance application in Case No.21 of 2021.

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

- (i) The Appellant is an Industrial Consumer (No.177740001431) from 20.04.2018 having Sanctioned Load (SL) of 60 HP and Contract Demand (CD) of 56 KVA at Gat No. 231, Deshmukh Wadi Tal. Khed, Dist. Pune.
- (ii) The meter of the Appellant was replaced in the month of November 2019 by smart meter having capacity 40-200 A without any intimation to the Appellant. The rice mill was rarely in use, however, there was excess consumption recorded in the meter when it was monitored daily.
- (iii) The Appellant has received an excess electricity bill for 4223 units of Rs.38420/- for the month of November 2019 instead of normal bill pattern of Rs.10000/- per month.
- (iv) The Appellant requested the Respondent to check up the meter and to guide what he has to do as Appellant was unaware of the technical issues of electricity for excess recording. The Respondent did not respond seriously.
- (v) The Respondent visited the premises in December 2019 and advised to connect the capacitor bank on load instead of main switch as when the machines were switched off, the capacitor bank also should be switched off. Meanwhile, there was heavy consumption of about 15000 units for the period November 2019 to January 2020.
- (vi) The Appellant was unaware of the technical issues being background of farmer family.
- (vii) The Appellant filed his grievance application in Internal Grievance Redressal Cell (IGRC) on 04.01.2020. The IGRC by its order dated has rejected the grievance. The Appellant approached the Forum on 24.06.2021. The Forum, by its order dated 20.10.2021 has rejected the grievance application. The Forum failed to understand the basic issues of grievance.
- (viii) In view of the above, the Appellant prays that the Respondent be directed to revise the bill by withdrawing the excess units charged of 15000 units for the period from November 2019 to January 2020 without any interest and delayed payment charges (DPC).


  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



4. The Respondent MSEDCL by its letter dated 19.03.2022 has submitted a reply which is in brief as below: -

- (i) The Appellant is a Consumer (No.177740001431) from 20.04.2018 having SL of 60 HP and CD of 56 KVA at Gat No. 231, Deshmukh Wadi, Post Shive, Tal. Khed, Dist. Pune. The supply is used for Rice Mill and is billed under Industrial Tariff Category.
- (i) The old Meter No.062644022 of Genus Make of the Appellant was replaced by new Meter No. X 1142309 of Secure Make with 40-200 Amp Capacity (Smart Meter with Initial Reading 0 kWh) on 01.10.2019 during Mass Meter Replacement for Automatic Meter Reading (AMR) Compatibility as per directions of Head Office.
- (ii) As per oral complaint of the Appellant, the premises of the Appellant was inspected in December 2019. During inspection, it was found that the Capacitor installed at the Consumer's premises was of Fixed Type and was connected before main switch of the meter permanently. The Appellant uses rice mill as per his requirement but not round the clock. However, the fixed capacitor bank remained in the circuit live for all time which has resulted higher consumption recorded in the meter. The Appellant was advised to keep the appropriate capacitor in circuit, only when Inductive Load is on. It was also advised many times to install Automatic Power Factor Controller (APFC) by Section Engineer, however, the Appellant did not implement the same. The Respondent has advised the Appellant timely. However, the Appellant failed to do so in time. The Respondent's responsibility is up to outgoing points of the meter and from thereon, the responsibility of installation per se is of the consumer.
- (iii) The Appellant filed his grievance application in IGRC on 04.01.2020. The Appellant accepted his mistake for connecting the capacitor bank before main switch. The IGRC by its order dated has rejected the grievance. The Appellant approached the Forum on 24.06.2021. The Forum, by its order dated 20.10.2021 has rightly rejected the grievance application.
- (iv) In view of the above, the Respondent prays that the present Representation be rejected.

5. The hearing was held on e-platform through Video Conferencing on 01.04.2022. The Appellant argued that the Respondent replaced the meter in October 2019, without any advance intimation. After meter replacement, the Appellant started to receive a huge bill without any

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai




substantial use. The Appellant complained of huge bill to local authority of the Respondent. However, the Respondent was not able to explain the reason for such huge bill. Meanwhile, there was excess bill of about 15000 units from November 2019 to January 2020. The Respondent visited the premises in December 2019 and advised to connect the capacitor bank on load side instead of directly to power supply before main switch so that when the machines are switched off, the capacitor bank is also switched off. The Appellant argued that after modification of wiring of fixing of capacitor, the issue has been sorted out. The IGRC and the Forum has not given any relief for high bill. The IGRC and Forum failed to understand the basic issues of grievance. The Appellant is a farmer and have limited technical knowledge. The Respondent supposed to guide the consumer. Hence, the Appellant prays that the Respondent be directed to withdraw the excessive bill of about 15000 units for the period from November 2019 to January 2020 and revise the bill with average consumption without any interest and delayed payment charges.

6. The Respondent argued in line with their written reply. It stated that a new meter for AMR compatibility was installed on 01.10.2019 during Mass Meter Replacement Drive as per directions from Head Office. The Respondent inspected the premises of the Appellant. During inspection, it was found that the Capacitor installed at the Consumer's premises was of Fixed Type and was connected before main switch of the meter permanently. The Appellant was advised to keep the appropriate capacitor in circuit, only when Inductive Load is on. It was also advised to install APFC Panel, however, the Appellant did not implement the same. The Appellant filed his grievance application in IGRC on 04.01.2020. The Appellant accepted his mistake for connecting the capacitor bank before main switch during the IGRC hearing. The Appellant has carried out the required modification and hence, there is reduction in consumption. In view of the above, the Respondent prays that the instant Representation of the Appellant be rejected.

### **Analysis and Ruling**

7. Heard the parties and perused the documents on record. The Appellant is an industrial consumer having SL of 60 HP. The supply is used for Rice Mill and is billed under Industrial Tariff Category. The Respondent replaced old Meter No.062644022 of Genus Make by new Meter No. X 1142309 of Secure Make with 40-200 Amp Capacity Smart Meter on 01.10.2019 during Mass Meter Replacement Drive for AMR Compatibility meter.

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai




8. The consumption pattern of the Appellant for the year 2019 and 2020 is tabulated as below:

Month	Cons (Units)	Month	Cons (Units)
Apr-19	1044	Apr-20	1752
May-19	794	May-20	414
Jun-19	509	Jun-20	414
Jul-19	196	Jul-20	3539
Aug-19	58	Aug-20	171
Sep-19	98	Sep-20	145
Oct-19	135	Oct-20	248
Nov-19	4223	Nov-20	80
Dec-19	5259	Dec-20	869
Jan-20	6736	Jan-21	1904
Feb-20	3174	Feb-21	2064
Mar-20	2503	Mar-21	1571

9. From the above consumption pattern, the monthly consumption from April 2019 to Sept-2019, prior to the replacement of meter, was in the range of 58 to 1044 units per month. However, after the installation of the AMR meter (No. X 1142309 of Secure make), the meter recorded the consumption of 4223, 5259, 6736, 3174 and 2503 units for the months of Nov., Dec., Jan., Feb., and Mar. 2020 respectively. This is without any additional load installed. Had the Appellant made an initial investment to install APFC panel, the subsequent higher bills could have been avoided and the investment cost could have been recovered within a period of about one year.

10. The consumption pattern for the period from April 2020 to March 2021 varies from 80 to 3539 units per month. The Appellant did not challenge the accuracy of the meter.

11. The Appellant contended that the Respondent did not respond to his query of high bill and did not clarify the technical aspect of connecting the fixed capacitor before meter which has resulted excess consumption during the period from Nov-2019 to January 2020. The Appellant has also clarified that after rectifying the capacitor installation on inductive load side, the consumption recording in the meter was found in order.

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai



12. The Respondent's responsibility is up to the outgoing points of the meter and from thereon, the responsibility of installation per se is of the consumer. The meter has shown the consumption, may be high, but it is as a result of power drawn by the installation of the consumer. It inter alia means that the Appellant has consumed the energy from the system for his installation. The Respondent cannot be held responsible for it. It has been brought on record by the Respondent that the Appellant requested the Inspecting Officer of the Respondent to check the installation about its healthiness. However, the Respondent does not have any locus standi for checking Appellant's installation within his premises.


13. The Forum has already analysed and disposed of the case accordingly. I do not find any reason to interfere with the order of the Forum. However, it is necessary to give some relief as a natural justice and hence, direct the Respondent:

- a) To revise the bill by withdrawing DPC and Interest levied, if any.
- b) To grant suitable equal instalments for the balance amount, not more than six, if the Appellant so desires, and that too, without DPC and Interest.
- c) To submit compliance within two months from the date of issue of this order.

14. The order of the Forum stands modified to the extent above. The Representation is disposed of accordingly.

15. The secretariat of this office is directed to refund the amount of Rs.25000/- deposited by the Appellant by way of its adjustment in the ensuing bills.

Sd/-  
(Vandana Krishna)  
Electricity Ombudsman (Mumbai)

  
(Dilip Dumbre)  
Secretary  
Electricity Ombudsman Mumbai

