

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 70 OF 2021

In the matter of bill revision and fictitious interest

Avinash Shankar Deshmukh..... Appellant

V/s.

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

Appearances:

Appellant : Shantanu A. Deshmukh, Representative

Respondent : Anil M. Thorat, Executive Engineer, Sangamner

Coram: Deepak Lad

Date of hearing: 16th November 2021


Date of Order : 26th November 2021

ORDER

This Representation is filed on 3rd November 2021 under Regulation 19.22 (d) of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulations, 2020 (CGRF Regulations 2020).

Preamble

2. The Appellant had initially filed the grievance in Consumer Grievance Redressal Forum Nashik (the Forum) on 20th August 2021. However, the Forum not being operational due to vacancy of



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Chairperson and Independent Member, the case could not be heard for more than 60 days. Therefore, the Appellant was informed that it can file the Representation under Regulation 19.22 (d) if he so desires. The Appellant, therefore, filed this Representation.

3. The Appellant's submission in brief is as under: -

- (i) The Appellant is Residential Consumer (No.1551008911) at Jawle Kadlagh, Tal. Sangamner Dist. Ahmednagar.
- (ii) The Appellant availed Connectivity to the Distribution network of MSEDCL by installing Solar Rooftop system in his premises in October 2016 as per the Respondent's guidelines. The Net meter was installed in December 2016.
- (iii) However, the Respondent did not make amend its billing system for the new meter data initially. Therefore, the new meter readings were not incorporated in the billing system. However, when it did take the reading, it committed mistake in the reading. As a result, the Appellant started receiving wrong bills of heavy amount from January 2018. The Appellant approached the Respondent's sub-division, and the bills were corrected.
- (iv) Later in the month of September 2018 due to improper meter readings, the Appellant was charged for consumption of 23647 kWh for Rs.3,68,499/-. The Appellant made umpteen efforts to revise the bill. The Respondent did revise the bill but not in its entirety. Again, in month of March 2019 in the form of adjustment, the Appellant was charged bill of Rs.43,235/- which was subsequently revised in the month of June 2019 after lot of follow-up. While the bill was revised for the principal amount, the interest component (which was charged on principal amount which itself is wrong) of Rs.4478/- was not withdrawn. This wrongly levied interest component increased to Rs.1,19,476/- by way of interest. This entire compounding of arrears has happened because the Respondent did not revise the wrong bill correctly on time and the bill revisions which they have made were vague lumpsum and incorrect.



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- (v) The Appellant had given various verbal and written complaints to the Respondent, still his complaint was not resolved. Every time Appellant was given verbal assurance for solving the grievance. The Appellant was never given written reply by the Respondent till date.
- (vi) The Appellant filed his grievance application in Internal Grievance Redressal Cell (IGRC) on 06.05.2021. The IGRC by its order dated 19.07.2021 has rejected the grievance. Not satisfied with the order of the IGRC, the Appellant approached the Forum on 20.08.2021. The Forum being not constituted, the Appellant filed the instant Representation.
- (vii) Being a responsible citizen, the Appellant have regularly paid provisional electricity bills for his consumption. There were multiple bill revisions, and the case was sent to Billing & Revenue Department, Corporate Office through system for approval, however it is learnt that the proposal is rejected being incomplete.
- (viii) The Appellant prays that the Respondent be directed to waive of the fictitious interest generated while doing bill revision.

4. The Respondent MSEDCL by its letter dated 12.11.2021, has filed its reply stating in brief as below: -

- (i) The Appellant is Residential Consumer (No. 1551008911) at Jawle Kadlagh, Tal Sangamner Dist. Ahmednagar. The Appellant installed Rooftop Solar System and availed Net Metering against his existing residential connection in December 2016.
- (ii) However, the meter replacement report of net metering was accepted into the billing System in December 2017 due to technical reason. However, meter reader has not taken proper reading in January 2018 which has resulted in abnormal billing of Rs.4,70,713.98. The bill was revised as per Consumer's complaint and credit of Rs.4,54,567.81 was given. There are seven bill revisions from January 2018 to April 2021. The Appellant has paid the principal amount from time to time, however, the interest amount remained as it was which is tabulated below: -


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Secretary
Electricity Ombudsman Mumbai

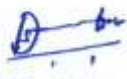


S.No.	Billing Month	Interest generated	S.No.	Billing Month	Interest generated
1	Jun-19	4478.98	13	Jun-20	119803.49
2	Jul-19	18818.04	14	Jul-20	119803.49
3	Aug-19	18819.36	15	Aug-20	119803.49
4	Sep-19	35267.36	16	Sep-20	119805.32
5	Oct-19	52868.64	17	Oct-20	119806.15
6	Nov-19	68819.08	18	Nov-20	119807.11
7	Dec-19	83670.88	19	Dec-20	119476.39
8	Jan-20	100015.09	20	Jan-21	119476.82
9	Feb-20	119797.78	21	Feb-21	119476.82
10	Mar-20	119798.86	22	Mar-21	119476.82
11	Apr-20	119800.26	23	Apr-21	119476.82
12	May-20	119802.26			

- (iii) The proposal of waiver of interest was forwarded to the Competent Authority, Billing and Revenue Department through system. However, Competent Authority has not approved the same. Hence, the interest on revision of bill is outstanding.
- (iv) The Appellant has paid his current / provisional bills regularly. At present, the Appellant is billed as per actual reading.
- (v) The proposal is again processed to the Chief Engineer, Billing & Revenue on 12.11.2021 for approval.

5. Physical hearing was held on 16.11.2021 at Conference Hall of SCADA Control Room of MSEDCL, Nashik. The Appellant argued in line with its written submission. It contended that he has no grudge whatever against the Respondent except that lower rank and file machinery did not act prudently and the issue got unnecessarily aggravated. He also accepted that the bill revision was done many times, however, inadvertently, interest component of Rs. 4479/- is not yet adjusted in various revisions. This unresolved issue has unnecessarily increased to Rs.1,19,477/-. The Appellant prays to waive of the fictitious interest generated while doing bill revision.

6. The Respondent stated during the hearing that the narration of the Appellant is correct and there were issues from its side in taking the reading. The Net Metering not being very highly technical, but


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 Secretary
 Electricity Ombudsman Mumbai




was new to the field staff and therefore, there were some mistakes committed by the meter reading agency and staff. It is a fact that the bill revision of the Appellant occurred on seven different occasions and while revisions were being made, initial interest component of Rs. 4479/- remained unadjusted. The main cause behind this entire episode is wrongly punching the actual KWh reading of 2949 (Import) as 29490 KWh in the month of January 2018 and the chain reaction started then onwards. The Appellant was prompt enough to pay the provisional bills issued to him from time to time. The initial interest component of Rs.4479/- which remained to be adjusted increased to Rs.1,19,477/-. The necessary revisionary entries were made into the system in April 2021. However, the Competent Authority has rejected the same. The Respondent, during the hearing, agreed that the same will again be pursued with the Competent Authority.

Analysis and Ruling

7. Heard the parties and perused the documents on record. The Appellant is Residential Consumer who installed Rooftop Solar System and availed Net Metering against his existing residential connection in October 2016 and the Net Metering was installed in December 2016. However, the meter replacement report of Net Metering was accepted into the billing system in December 2017. According to the Respondent, the Import KWh reading of the Appellant was 2949 and Export KWh reading was 952 onsite. However, the reading fed into the system was 29490 KWh instead of 2949 KWh in January 2018 which has resulted in abnormal billing of Rs.4,70,714/-. There are seven bill revisions of the Appellant from January 2018 to April 2021 for wrong meter reading and/ or wrong billing codes. Provisional bills were issued to the Appellant from time to time and he paid the same. The initial interest component was of Rs.4479/-which fictitiously increased by applying interest to Rs.1,19,477/-.


8. In view of the proceedings that took place on 16.11.2021 and the admitted position of the issue, I am, of the opinion that there is nothing to be resolved except withdrawal of entire interest amount.


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Secretary
Electricity Ombudsman Mumbai



9. I, therefore, pass the following order:
- (a) The Respondent to withdraw levy of total interest of Rs.1,19,477/- in the entire sequence of events and revise the bill accordingly within two months from the date of issue of this order.
 - (b) Respondent to submit compliance within three months from the date of issue of this order.
10. The Representation is disposed of accordingly.

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


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

