

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

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

REPRESENTATION NO. 89 OF 2021

In the matter of excess billing

Anna Kisanrao MoreAppellant
House No. 54/1, Khadavli
(Cons. No. 021110006818)

V/s.

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

Appearances

Appellant : Anna Kisanrao More
Respondent : 1. R.A. Ramteke, Executive Engineer
2. Ganesh Pawar, Addl. Ex. Engineer


Coram: Deepak Lad

Date of Hearing: - 10th & 15th February 2022

Date of Order : - 15th February 2022

ORDER

This Representation is filed on 14th December 2021 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2020 (CGRF Regulations 2020) against the Order dated 21st October 2021 passed by the Consumer Grievance Redressal Forum, MSEDCL Kalyan Zone.


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai




2. The Forum, by its order dated 21.10.2021 has partly allowed the Grievance Application No. 2138 of 2021-22 with following direction: -

- “2) Except for the fixed charges, other charges along with energy charges to be waived off for the period February - 2020 to February -2021.*
- 3) The licensee should recover the fixed charges from February 2020 to February 2021 and recover arrears for the rest of the period in three equal installments along with the current month bill.*
- 4) In case of non-payment of any of the above three installments, the power supply of the Consumer should be disconnected immediately.*
- 5) Interest and DPC for the period from 16.03.2021 till the date of this order to be waived.”*

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

- (i) The Appellant is a Residential consumer (No. 021110006818) from 18.05.2013 at House No. 54/1, near Government Hospital, Khadavli, Dist. Thane.
- (ii) The Appellant was receiving regular monthly bills as per actual reading up to March 2020. The Appellant was regular in payment till date. The Appellant was billed with average basis in the month April 2020 and May 2020.
- (iii) The Appellant received a high bill of Rs. 7834.40 for 778 units in the month of June 2020. The Appellant paid the electricity bill of Rs. 5511/- on 29.06.2020. There is some calculation mistake and the outstanding shown in the bill is not correct. The Respondent did not explain the calculations of bills. Hence, it is necessary to revise the bill.
- (iv) The Appellant then filed the grievance with the Internal Grievance Redressal Cell (IGRC) on 01.02.2021. The IGRC did not issue order within time. The Appellant approached the Forum on 16.03.2021. Afterword, the IGRC, by its order dated


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai




01.04.2021 has rejected his grievance. The IGRC failed to understand that his present consumption is double compared to the consumption during lockdown period. The Forum also by its order dated 21.10.2021 has rejected the Grievance by giving minimal relief by waiving interest and DPC. The Forum failed to understand that there is calculation mistake while preparing the bill.

- (v) The Appellant prays that the Respondent be directed to revise he bill considering facts and circumstances in the case with revised calculations.

4. The Respondent, by its letter dated 18.01.2022 filed its reply which is in brief as under:-

- (i) The Appellant is a Residential consumer (No. 021110006818) from 18.05.2013 at House No. 54/1, near Government Hospital, Khadavli, Tal. Kalyan, Dist. Thane.
- (ii) The Respondent billed the Appellant as per actual reading up to January 2020. The reading on the meter was 454 KWH on 18.01.2020. The meter of the Appellant was temporarily disconnected due to outstanding arrears. The Appellant was on temporary disconnection (TD) status from February 2020 to February 2021, however, the Appellant was using electricity through meter and hence billed as per actual reading. The meter reading on February 2021 was 582 KWH.
- (iii) The Appellant has paid last energy bill on 30.03.2018 and did not pay any bills thereafter. The arrears got accumulated to Rs. 8487.09/- up to February 2021.
- (iv) Being aggrieved with the outstanding bill, the Appellant filed the grievance before IGRC on 01.02.2021. The IGRC partially allowed the grievance by its order dated 01.04.2021 and directed to verify the exact status of the Appellant whether he is Live or TD as there are progressive meter readings. Prior to the Order of the IGRC, the Appellant approached the Forum on 16.03.2021. The Forum by its order dated 21.10.2021 has partly allowed the Grievance with direction to waive off energy charges for the period February 2020 to February 2021, to waive off Interest and DPC for the period from 16.03.2021 till the date of the order, and to recover arrears in three equal installments along with the current month bill. The Forum also


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai




directed that in case of non-payment of any of the above three installments, the power supply of the Consumer should be disconnected immediately.

- (v) As per CPL, the consumption was 213 units from March 2018 to March 2019 and consumption was 89 units from March 2020 to February 2021.
- (vi) As per spot inspection report dated 08.03.2021, Appellant did not have electricity use and consumer meter no, 03301243 shows meter reading 589 KWH and the bill is generated according to the reading during this period. The Appellant did not pay any bill from 08.03.2018.
- (vii) As per order of the Forum, Bill Revision-B80 fed vide ID -12606624 dated 30.11.2021 for waiver off other charges along with energy charges except fixed charge for the period February 2020 to February 2021 and interest and DPC from 16.03.2021 till the date of order. The bill issued and conveyed to consumer for payment in 3 installments of Rs. 2563/- each.
- (viii) Considering the above mentioned facts, the grievance of the Appellant is redressed. In view of the above, the Respondent prays that the Representation of the Appellant be rejected.

5. The hearing in the instant case was held on 11.02.2021 on e-platform, however, it was postponed as the Appellant was not able to express and convey his views through video conferencing. Hence, it was decided to adjourn the hearing for physical one. Thereafter, a physical hearing was held on 15.02.2022 in this office.

6. During the hearing, the Appellant tried to correlate various payments made by him vis-à-vis the electricity bills issued to him. He was particularly questioning the billing during the lockdown and subsequent payments made by him. From his entire disposition, I felt that the Appellant has not been able to reconcile and understand the factual position. The Respondent in its own right and the undersigned explained each and every entry in the Consumer Personal Ledger of his electricity connection for which the present representation has been filed. Finally, the Appellant got convinced with the explanation offered to him and further agreed to pay the outstanding arrears.


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai




Analysis & Ruling

7. Heard both the parties and perused the documents on record. The Consumer Personal Ledger (CPL) from January 2020 to November 2021 is tabulated as below:

Consumer No. 021110006818									
Month	Initial Reading (KWh)	Final Reading (KWh)	Diff. (Units)	Remarks	Month	Initial Reading (KWh)	Final Reading (KWh)	Diff. (Units)	Remarks
Jan-20	440	454	14		Jan-21	557	557	0	TD
Feb-20	454	476	22	TD	Feb-21	557	582	25	TD
Mar-20	476	493	17	TD	Mar-21	582	599	17	
Apr-20	493	493	0	RNT Status (Lockdown)	Apr-21	599	608	9	
May-20	493	493	0	RNT Status (Lockdown)	May-21	608	629	21	
Jun-20	493	548	55	TD (Accumulated Actual Reading)	Jun-21	629	629	0	
Jul-20	548	548	0	TD	Jul-21	629	629	0	
Aug-20	548	549	0	TD	Aug-21	629	646	17	TD
Sep-20	549	549	0	TD	Sep-21	646	646	0	TD
Oct-20	549	549	0	TD	Oct-21	646	646	0	TD
Nov-20	549	549	0	TD	Nov-21	646	646	0	PD
Dec-20	549	557	8	TD					

From the above table, it is seen that the Appellant has been billed for zero consumption for April and May 2020, and in the month of June 2020, it has been billed for accumulated consumption of 55 units. This was the period of lockdown due to Covid-19 epidemic. Then in July 2020, the Appellant was temporarily disconnected. Therefore, there cannot be any consumption on the meter, however, it is noticed that in some months, February, March, April, May and August 2021, some consumption has been shown. When this issue was raised with the Respondent, it was informed that the Appellant, in fact, was temporarily disconnected (TD) but somehow the Appellant managed to draw power from the meter and hence, the consumption is recorded. It is a practice to show the consumer in TD status in such cases. The Appellant was permanently disconnected in the month of November 2021.


 (Dilip Dumbre)
 Secretary
 Electricity Ombudsman Mumbai



8. From the above, I failed to understand the grievance as such raised by the Appellant. I also noticed that the Forum has waived of the consumption during February 2020 to February 2021. It is not understood how the consumption when shown on the meter can be waived of, particularly, when the Respondent has pointed out that the Appellant has abstracted energy by converting TD into Live status. As a matter of fact, this is a breach on the part of the Appellant and he could have been charged under Section 126 of the Electricity Act, 2003. However, the Respondent has shown to go soft on this issue. Hence, I, do not intend to indulge in this issue. However, the Respondent is directed not to withdraw energy consumption and charges thereof from February 2020 to February 2021 as ordered by the Forum. Therefore, the order of the Forum is partially modified to the extent above.


9. For rest of the thing, there is nothing that needs to be adjudicated and resolved. During the second physical hearing, after clarifying each and every entry in the CPL with respect to the payment made by him and the amount of bill raised by the Respondent, the Appellant expressed his satisfaction on the issue and agreed to pay the outstanding arrears as early as possible.

10. The Respondent is directed to submit compliance within two months from the date of this order.

11. The Representation therefore stands disposed of accordingly.

12. The secretariat of this office is directed to refund the amount of Rs.2500/- by way of adjustment against the arrears outstanding in the name of the Appellant's Consumer No. 021110006818 and inform the Respondent accordingly.

Sd/
(Deepak Lad)
Electricity Ombudsman (Mumbai)


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

