



**CONSUMER GRIEVANCE REDRESSAL FORUM**  
**M.S.E.D.C.L., PUNE ZONE, PUNE**

**Case No. 41/2017**

**Date of Grievance : 22.05.2017**

**Date of Order : 21.07.2017**

In the matter of exorbitant billing.

Mr.Sunil Chandrakant Medankar,  
1144, Medankarwadi,  
Tal. Khed, Dist.-Pune.

**Complainant**

(Herein after referred to as Consumer)

**Versus**

The Executive Engineer,  
M.S.E.D.C.L.,  
Rajgurunagar Division,  
Pune.

**Respondent**

(Herein after referred to as Licensee)

**Quorum**

**Chairperson**

**Mr. S.N.Shelke**

**Member Secretary**

**Mrs. B.S.Savant**

**Member**

**Mr. S.S.Pathak**

**Appearance**

**For Consumer**

Mr. S.C.Medankar

**For Respondent**

Mr.Rahul A.Dere, Dy.Ex.Engineer,  
Chakan Sub-division.

Mr.D.K.Kulkarni, Dy.Manager(F&A)  
Rajgurunagar Dn.

Mr.S.S.Sandbhor, Asstt.Actt., Chakan S/dn.

1. The Consumer has filed present Grievance application under regulation No. 6.4 of the MERC (CGRF& E.O.) Regulations 2006.
2. The consumer above named filed complaint before IGRC, PRC on 15.3.2017 about exorbitant billing for the month of Nov.2016. Being aggrieved & dissatisfied by the order dt.20.4.2017. The consumer above named prefers present grievance on the following amongst other ground.

3. The papers containing the above grievance were sent by the forum to the Executive Engineer, Rajgurunagar Division vide letter No. EE/CGRF/PZ /191 Dated 22/05/2017. Accordingly the Distribution Licensee filed its reply on 06/07/2017.
4. We heard both sides at length, gone through the contentions of the consumer and reply of the respondent & documents placed on record by the parties.
5. The facts giving rise to the grievance may be stated as under :

The consumer namely Sunil Chandrakant Medankar having consumer No.177764105122 with sanctioned load 0.20 KW was connected on 19.11.2004 in tariff category LT 1 Resi. 1 Ph. The consumer was regularly paying energy bills. In the month of Nov.2016 the consumer received bill for 25599 units amounting to Rs. 3,83,920/-. Thereafter the consumer made various complaints to the Licensee about the exorbitant bills i.e. on 10.3.2017, 15.4.2017, 19.4.2017, 27.4.2017, & 19.5.2017. He made complaint in X Form before IGRC on 15.3.2017. The IGRC directed the sub/division office to check the new meter for correctness and shall correct the bill as per meter reading. Lastly consumer approached to the Forum with the grievance of exorbitant billing & correction in the bill amount.
6. The consumer Mr. Sunil Medankar submits that he was regularly paying electricity bills upto Oct.2016. He received the bill for the month of Nov.2016 for 25599 units amounting to Rs.3,83,920/-. Thereafter he received further bills upto Feb.2017 showing bill amount of Rs.5,20,410/-. He was unable to pay the said exorbitant bills. Thereafter, the Licensee disconnected his supply without giving any notice. Therefore he had to stay in the dark & consequently his children suffered loss as it was examination time. Therefore Mr. Medankar requests for correction of bills. He points out that his meter was replaced for 3 to 4 times. He did not receive any photo reading bill. He lastly requests that bill of average units considering consumption pattern prior to Nov.2016 may be issued & he is ready to pay the same.
7. On the other hand Mr.Dere, DyEE, Chakan Sub/dn. submitted that the consumer complained about abnormal billing in the month of Nov.2016 for 25599 units for the period of 103 months amounting to Rs.3,83,920/-. The Licensee made verification & found that the old meter having no. 2574189 HPL

Make was replaced on 22.8.2007 having final reading 25649 & new meter having no.13723422 HE Make was installed. Thereafter the Licensee checked the said meter on 30.3.2017 having reading 00875 KWH. The concerned Section Officer opined to correct the bill with slab benefit from the date of testing. Accordingly consumers bill was revised for the period from Feb.2010 to Nov.2016 & corresponding credit B-80 adjustment for Rs.2,22,778.41 was fed to IT with bill revision I.D.No.5941721 & approved on 5.7.2017. Secondly, another credit B-80 adjustment for RNA average billing in the month of Nov.2016 for Rs.1,24,722.26 having bill revision ID No.5985397 was also approved on 5.7.2017. Accordingly the revised bill was handed over to the consumer. The Licensee produced bill revision report for the period Feb.2010 to Nov.2016 for consumption of 25649 units for 77 months calculating average to 333 units.

8. It is seen from the record that the said consumer was connected on 19.11.2004 having sanctioned load 0.20 KW in the category LT 1 Resi. 1 Ph. The old meter having no. 2574189 HPL Make was replaced on 22.8.2007 with new meter having no. 13723422 HE Make. However it is seen from the CPL that the said new meter number was not fed to IT. Therefore the consumer was wrongly billed. In the month of Nov.2016 the Licensee verified the consumer meter & found 25599 KWH (units) on meter display. In the month of Oct.2016 bill for 49 units was issued to the consumer. Therefore the Licensee found that the bill for the month of Nov.2016 was abnormal. Accordingly the Licensee bifurcated said 25599 units during the period from Feb.2010 to Nov.2016 for 77 months calculating average of 333 units per month. Accordingly corresponding credit B-80 adjustment for Rs.2,22,778/- was fed to the IT & another credit B-80 adjustment for RNA, average billing in the month of Nov.2016 for Rs.124722/- was also approved on 5.7.2017 & revised bill was issued to the consumer. Thus it is seen that the Licensee bifurcated 25599 units for the period Feb.2010 to Nov.2016 for 77 months and issued revised bill giving necessary credit. However action of Licensee bifurcating 25599 units in previous 77 months & issuing of revised bill to the consumer for the said period is not in accordance with provisions of section 56 (2) of the Electricity Act, 2003. The Licensee cannot recover arrears of bills for the

period of more than 2 years unless such sum has been shown continuously as recoverable. Therefore the proper treatment should have been bifurcating 25599 units from the replacement of meter i.e. on 22.8.2007 to detection of error i.e. in the month of Nov.2016 for 110 months. Therefore average comes to 232 units per month. Thus the Licensee can charge 232 units as average for 24 months in terms of Section 56 (2) of E.A., 2003.

9. The CPL of the consumer discloses that from Oct.2014 to Oct.2016. Consumption pattern of the consumer was as under:

2014-2015		2015-2016	
Month	Consumption	Month	Consumption
Oct.14	43	Oct.15	43
Nov.14	43	Nov.15	43
Dec.14	43	Dec.15	43
Jan.15	43	Jan.16	43
Feb.15	43	Feb.16	43
March 15	43	March-16	43
April-15	43	April-16	43
May-15	43	May-16	43
June -15	43	June-16	43
July-15	43	July-16	43
Aug.-15	43	Aug.-16	43
Sept.-15	43	Sept.16	49
Total	516	Total	519

Therefore the Licensee is entitled to charge  $232 \times 24 = 5568$  units i.e. for 24 months out of accumulated 25599 units. The Licensee has already issued average bills to the consumer for the period Oct.2014 to Oct.2016 for 1035 units as shown in the above mentioned table. Therefore the said 1035 units are liable to be deducted from 5568 units. Hence the Licensee is required to issue revised bill of  $5568 - 1035 = 4533$  units to the consumer. Hence the grievance is liable to be allowed.

Lastly we proceed to pass following order.

**ORDER**

1. Grievance of the consumer is allowed with cost.
2. The licensee to issue revised bill of 4533 units to the consumer giving slab benefit & deducting DPC & interest.
3. The licensee to report compliance within one month from the receipt of this order.

Delivered on: - 21.07.2017

**Sd/-**  
**S.S.Pathak**  
Member  
CGRF:PZ: PUNE

**Sd/-**  
**B.S.Savant**  
Member/Secretary  
CGRF:PZ: PUNE

**Sd/-**  
**S.N.Shelke**  
Chairperson  
CGRF:PZ:PUNE

Note: - The consumer if not satisfied may filed representation against this order before the Hon'ble Ombudsman within 60 days from the date of this order at the following address.

Office of the Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606/608, Keshav Bldg.,  
Bandra Kurla Complex, Bandra (E), Mumbai-51.