



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

**Case No.45/2017**

**Date of Grievance : 06.06.2017**

**Date of Order : 05.08.2017**

In the matter of exorbitant billing & refund of excess bill amount.

M/s. Idea Cellular Ltd.,  
 Plot No.7, Phase-1,  
 MIDC, Hinjewadi,  
 Pune 411057.

**Complainant**

(Herein after referred to as Consumer)

**Versus**

The Executive Engineer,  
 M.S.E.D.C.L.,  
 Pimpri Division,  
 Pune -411011.

**Respondent**

(Herein after referred to as Licensee)

**Quorum**

**Chairperson**  
**Member Secretary**  
**Member**

**Mr. S.N.Shelke**  
**Mrs. B.S.Savant**  
**Mr. S.S.Pathak**

**Appearance**

**For Consumer**

Mr. Sudhir M.Kulkarni, Representative

**For Respondent**

Mr.M.K.Suryawanshi,AEE,Sangvi Sub/ dn.  
 Mr.G.M.Dangat, Dy.Manager, Pimpri Dn.

1. The Consumer has filed present Grievance application under regulation No. 6.4 of the MERC (CGRF& E.O.) Regulations 2006.
2. Being aggrieved & dissatisfied by the order dated 01/04/2017 passed by IGRC Ganeshkhind Urban Circle, Pune, the consumer above named prefers the present grievance application on the following amongst other grounds.
3. The IGRC, GKUC vide order dated 01.04.2017 directed the Sub-division office Sangvi :

*The SDO Sangvi to test the meter No.720782053 (if available) once again in the testing lab, Phursungi in the presence of consumer for his representative after following the MSEDCL regular procedure. Based on meter testing results, the SDO Sangvi will revise the consumers bills if meter is not found OK. If meter is found OK, then SDO Sangvi will reverify the previous period readings & consumption trend recorded on old meter & will revise the bill accordingly as per MSEDCL Rules & Regulations. The Ex.Engineer, Pimpri Dn. will investigate the issue regarding why meter readings was not taken regularly and will take necessary action against meter reading agency/MSEDCL employees as per MSEDCL Rules. The SDO Sangvi & EE (Pimpri) will submit compliance to IGRC.*

4. The papers containing the above grievance were sent by the forum to the Executive Engineer, Pimpri Division vide letter No. EE/CGRF/PZ /203 Dated 09/06/2017. Accordingly the Distribution License filed its reply on 17/07/2017.
5. The consumer namely M/s.Ideal Cellular Ltd. having consumer No.170674718414 with connected load 7 HP and sanctioned load 7 HP was connected on 21.12.2007 in the tariff category LT-V Ind. According to consumer bill for the month of Sept.2014 was paid by the consumer in the month of Oct.2014 having current reading as 89394 kwh. Thereafter the consumer did not receive energy bills till March-2015. But in the month of April-2015 the consumer received bill for 1232 units amounting to Rs.19,05,320/- including arrears of previous period. Thereafter the Licensee disconnected the supply on 18.7.2015. The consumer deposited the disputed bill under protest amounting to Rs.18,56,705/-. The bill mentioned above was not as per consumption, it was exorbitant. Therefore the consumer is entitled to get refund of bill amount.
6. Final hearing of the said matter was fixed on 25.7.2017. During the course of final hearing it was revealed that the Sub-division office has not issued the revised bill to the consumer as per order passed by IGRC dated 7.4.2017. Therefore the Forum directed the Licensee to prepare the revised bill of

the said consumer by applying various methodizations. Accordingly the Licensee by applying two methods prepared the revised bill & submitted report to the Forum. The first method for revised bill :

I. The Licensee consider M.D. 4.64 KVA considering P.F. 1 without considering the shut down & breakdown period for 1 day (24 Hrs.) i.e.  $4.64 \times 24 = 111.36$  kwh. Accordingly as per said method the Licensee calculated the bill for the period April-2013 to July - 2015 for a 98223 units amounting to Rs.6,31,750/-.

II. As per second method the Licensee considered M.D.4.64 KVA, PF 1 & unit consumed in 1 hr. i.e. 4.64 kwh. Therefore units consumed in one month (considering 20 hrs. shut down & breakdown in one month) i.e. 30.416.

$$\begin{aligned} 30.416 \times 24 &= 729.984 - 20 \text{ Hrs. breakdown \& shut down period} \\ &= 709.984 \text{ hrs. in a month} \times 4.64 \text{ KVA} \\ &= 3294.32 \text{ kwh.} \end{aligned}$$

Accordingly the Licensee prepared revised bill of 95526 units for the period March-2013 to July-2015 i.e. for 29 months amounting to Rs.6,14,568/-.

7. The Forum considered both the revised bills prepared by the Licensee applying different methods. In the first method the Licensee has not considered the shutdown & breakdown period but in the second method they have considered the shutdown & breakdown period in 1 month. Therefore the second methodization applied by the Licensee is proper than the earlier one. However while preparing revised bill as per second method, the Licensee taken into consideration period of 29 months i. e. wrong March-2013 to July-2015 which is not legal according to law. As per section 56 of E.A.2003 the Licensee should have considered period of 24 months previous to the disputed bill. It is seen from the CPL that faulty bills issued to the consumer during the period Oct.2014 to May-2015. The consumer meter was replaced on 7.5.2015. The Licensee has not taken the meter reading during the period April-2013 to Nov.2013 & Aug.2014 to May-2015. As per CPL sanctioned load/connected load of the

consumer 7 HP i.e. 5.222 KW. The Licensee inspected the premises of the consumer and submitted report dated 28.7.2017 showing the M.D. 4.64 KVA. The said report is signed by the consumer representative. Similarly the consumer submitted sheet showing consumption 2.45 kwh. But it is not signed by the consumer. Therefore it is not acceptable. Taking into consideration previous period of 2 yrs. of the disputed bill i.e. from May-2013 to April-2015 & considering maximum demand 4.64 KVA, per month consumption of the consumer of 3192.31 kwh (30 days) & 3303.68 kwh (31 days) respectively, & 8 Hrs. shutdown/breakdown considered for 4 days in a month during the disputed period it comes to 78174.62 kwh. Therefore Licensee is required to prepare revised bill deducting bill amount deposited by the Licensee during the disputed period. The Licensee is also required to refund the amount paid by the consumer after deducting the amount of above mentioned revised bill. The Licensee is at liberty to adjust the refund payable to the consumer towards other connection of the consumer at the Circle level. The grievance is accordingly liable to be allowed.

Lastly, we proceed to pass following order.

### ORDER

1. Grievance of the consumer is allowed as under.
2. The licensee to issue revised bill to the consumer as per second methodization considering M.D. 4.64 KVA, P.F. 1 considering 32 hrs. Shutdown/breakdown period in one month during the disputed period from May-2013 to April-2015 i.e. for 78174.62 kwh by giving slab benefit & deducting DPC & interest.
3. The licensee to deduct bill amount deposited by the consumer during the disputed period while preparing the revised bill.
4. The Licensee to refund excess bill amount deposited by the consumer after deducting the amount of above mentioned revised bill.

5. The Licensee to adjust refund of the consumer towards the other connection of the said consumer at Circle level.
6. The Licensee to report compliance within one month from the receipt of this order.

Delivered on: - 05.08.2017

**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.