



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

**Case No. 05/2018**

**Date of Grievance : 17.01.2018**

**Date of Order : 13.03.2018**

In the matter of recovery of bill for accumulated units.

The Chairman,  
Brahma Emerald County,  
W/pump, S.No.11/12,  
Kausar Bag, Pl.13, Kodhwa,  
Pune - 411048

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**Complainant**

(Herein after referred to as Consumer)

**Versus**

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

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**Respondent**

(Herein after referred to as Licensee)

**Quorum**

Chairperson	Mr. B.D.Gaikwad
Member/Secretary	Mrs.B.S.Savant
Member	Mr. S.K.Jadhav

**Appearance**

**For Consumer**

Mr.Habib Patel,Chairman

Mr.Charles D'cruz, Manager

Bramha Emerald County

**For Respondent**

Mr.M.D.Ghume, Ex.Engineer,

Rastapeth Division

Mr.S.A.Sarode, AEE, St.Mary S/dn.

- 1) The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF and Electricity Ombudsman) Regulations 2006.

- 2) Being aggrieved and dissatisfied by the order dated 24/11/2017 passed by IGRC Rastapeth Urban Circle, Pune, the consumer above named prefers the present grievance application on the following amongst other grounds.
- 3) The papers containing the above grievance were sent by the forum to the Executive Engineer, Rastapeth Division vide letter No. EE/CGRF/PZ /05 of 2018/17 dated 23/01/2018. Accordingly the Distribution License filed its reply on 01/03/2018.
- 4) The consumer is The Chairman, Brahma Emerald County, having consumer No.160250738177 with sanctioned load 30 KW connected on 10.11.2008 in the category of LT-I Resi.- 3 phase. In the month of June-2017, the higher authority has given the instructions that the consumer having connected load 20KW and above should be billed through MRI only. Previously the reading was taken through photo meter reading of the said consumer. The agency has not taken the meter readings properly in the year 2016-2017.
- 5) Hence the Licensee has commenced taking reading by MRI from July-2017. In the month of July-2017 the accumulated units was charged to the consumer for 57422 units amounting to Rs.9,44,750/- and it was issued to the consumer. Thereafter the consumer was not agreed for the same and he filed a grievance in the IGRC, GKUC, Pune but no relief was granted to him.
- 6) The Facts giving rise to the grievance may be stated as under :

Mr. Habib Patel, Chairman, submitted that the above named consumer having consumer no. 160250738177 with sanctioned load 30 KW was connected on 10.11.2008 in the category of LT-I Resi. 3 Phase. The Licensee generated the bill amounting Rs.9,44,750/- for 57422 units in the month of July-2017 as per the Meter Reading Instrument (MRI) which was taken in the month of July-2017 as per the instructions from Higher Authorities. It was instructed to take MRI reading for the consumers having connected load above 20 KW. The differential bill for accumulated units was issued to the consumer for the period April-2016 to March-2017. It is the admitted fact that previously the Licensee issued the bills to the consumer as per the photo

meter reading upto the month of June-2017. It is also an admitted fact that the bill amount of Rs.9,44,750/- was issued to the consumer and consumer has paid the amount of Rs.2,00,000/- on 30.8.2017. Thereafter the consumer has made grievance to the IGRC and no relief was granted to the consumer. However the IGRC has given the decision/order on 24th Nov.2017 and it was held that "The energy bill issued to the consumer was as per the MRI data and it should be confirmed whether slab benefit was given to the consumer and if not it shall be passed to the consumer."

- 7) The consumer representative Mr. Habib Patel submitted that the Licensee had issued the energy bill as per photo meter reading upto the month of June-2017. In the month of July-2017 the Licensee has issued the bill amounting to Rs.9,44,750/- for cumulative 57422 units for the period 12.6.2017 to 15.7.2017. The current reading for the month of July-2017 was 809240 where as the previous current reading was 751818 and so it was not accepted by the consumer. He submitted that their monthly consumption pattern was 5500 to 6000 units. Thereafter consumer made a complaint to the Licensee and after discussion he came to know that the cumulative units shown on the energy bill were 57422 units for the period June-2016 to June-2017 which was taken through MRI and hence consumer has paid an amount of Rs.2,00,000/-. He submitted that he is not liable to pay said bills and amount of Rs.2,00,000/- should be adjusted in the next billing cycles. Thereafter the Licensee has tested the meter and it was found OK.
- 8) On the other hand Mr.M.D.Ghume, Ex.Engineer, Rastapeth Division submitted that the consumer no.160250738177 is in the name of Chairman Bramha Emerald County having its sanction load 30 KW under 3 phase residential category and billing unit is 4610 under St.Mary Sub/dn. The said consumer was billed under PC-1 from the date of connection 10.11.2008 upto June-2017. He submitted that there instructions/directives from the higher authority and as per the directions reading programme through MRI only for the consumers whose sanctioned load was 20 KW and above was carried. The list of all consumers having sanctioned load about 20 KW (other than

PC-0) and above was taken from IT and all the consumers under this list were transferred to PC-0 and were billed through MRI readings only.

- 9) Considering the above facts it is clear that reading for the month of July-2017 was taken through MRI and was billed accordingly and current reading was shown as 809240 KWH units for the month of July-2017 and previously 751818 KWH units in the month of June-2017. Hence the difference between current reading and previous reading was shown as 57422 units (Accumulated units) and bill generated for Rs.9,44,750/- as per the MRI reading sheet for the month of July-2017. It is therefore clear that, 57422 units were not recorded in monthly bills and those units were accumulated units.
- 10) The facts and circumstances also indicates that reading was not taken properly by reading agency for the period April-2016 to March-2017 and during this period 35272 units were billed for this period which are comparatively less than average consumption of previous two years i.e. 2014-15 and 2015-16. The CPL record indicates that sometimes Reading Not Taken ( RNT) was mentioned on the energy bill during the period April-2016 to March-2017. Hence it is throughly gone through this case. We have perused record and after going through the record it is disclosed with the help of CPL that the acutal consumed units were 121904 and 109740 units for the period 2014-2015 and 2015-2016 respectively. The average consumption for one year is calculated as 115822 units. We have to consider the average consumption of the previous year 2014-2015 and 2015-2016 and it is clear that the consumer was less billed by 80550 units (( 115822 - 35272 (billed units)) in the year 2016-2017. It is an admitted fact that slab benefit of Rs.50117.19 was given to consumer from Aug.2016 to July 2017 through B-80 no. 6646580 dated 1.11.2017.

- 11) The consumption pattern of the consumer for the period April-2016 to June - 2017 for 15 months as per CPL record is as under :

<b>Month</b>	<b>Consumption</b>	<b>Meter status on energy bill</b>
<b>April-16</b>	<b>6834</b>	<b>Normal</b>
<b>May-16</b>	<b>5830</b>	<b>Normal</b>
<b>June-16</b>	<b>5000</b>	<b>Normal</b>
<b>July-16</b>	<b>6369</b>	<b>Normal</b>
<b>Aug.16</b>	<b>1650</b>	<b>Normal</b>
<b>Sept.16</b>	<b>4340</b>	<b>RNT</b>
<b>Oct.16</b>	<b>4340</b>	<b>RNT</b>
<b>Nov.16</b>	<b>4340</b>	<b>RNT</b>
<b>Dec.16</b>	<b>5750</b>	<b>Normal</b>
<b>Jan.17</b>	<b>2194</b>	<b>Normal</b>
<b>Feb.17</b>	<b>1645</b>	<b>Normal</b>
<b>March-17</b>	<b>1759</b>	<b>RNT</b>
<b>April-17</b>	<b>14435</b>	<b>Normal</b>
<b>May-17</b>	<b>7446</b>	<b>Normal</b>
<b>June-17</b>	<b>8301</b>	<b>Normal</b>

- 12) The above units shown in the CPL clearly indicate that on many occasions the meter reading was not taken properly and during some months the meter reading was not available. It resulted to the accumulation of consumed units and so the bill of 57422 units was raised in the month of July-2017. The record also indicates that meter testing was carried on 22.9.2017 and meter was found OK. The errors are within prescribed limit and the testing was carried as per the consumers request for replacement of meter on dated 8.9.2017. The records indicates that the accumulated units were for the period April-2016 to March-2017 period. When there was reading by MRI, there was no any manual interference in the reading. It cannot be said that MRI reading is not accurate.

- 13) We during the hearing of present matter suggested Licensee to carrying spot verification of the consumer's premises, to verify connected load and to produce previous CPL and MRI data. The Licensee has made spot verification on 22.2.18 and checked its connected load and also produce MRI data & CPL data. The record indicates that the connected load is 32 KW and the appliances in the consumer premises are as follows :

<b>Appliances</b>	<b>Qty*HP/W</b>	<b>Total HP/W</b>	<b>KW</b>
A. Water Pump Load	4*5HP	20 HP	14.92
	2*3 HP	6 HP	4.48
B. Light Load			
1. Twin Tubes	31*36W	1116	1.12
2. LEDs and CGLs	80.12 W	960	0.96
C. fan Load	12*60 W	720	0.72
D. AC load	2*3500 W	7000	7.00
E. Fitness Treat Mills	2*1300 W	2600	2.60
F. Water Heater (Steam Bath)	1*3 W	3	0.003
G. PC Load	2*100 W	200	0.20
Total Connected load in KW			31.995

As per connected load and the record submitted by Licensee, the average monthly consumption of the consumer is about 9652 units. We are of the opinion that the Licensee has correctly issued bill of 57422 units in the month of July-2017 and consumer has to pay the said bill of Rs.9,44,750/-. It is needless to mention that the amount of Rs.2,00,000/- paid by the consumer shall be adjusted towards the said bill. We are therefore come to the conclusion that the consumer is bound to pay said energy bill. No doubt present consumer is paying the bills regularly and consumer is honest consumer, but said bills are of the accumulated units as disclosed from the record and so consumer is to pay the same. We are also of the opinion that a Licensee shall give suitable installments to the consumer as per MSEDCL's

Rules and Regulations for paying the said bill. We accordingly pass following order :

**ORDER**

1. The consumer to pay the bill of Rs.9,44,750/- after adjusting the amount of Rs.2,00,000/- deposited by the consumer.
2. The Licensee shall give the suitable installments as per the rules and regulations of MSEDCL's for the payment of said bill.
3. No order as to cost.

Sd/-

**A.P.Joshi**  
Member  
CGRF:PZ: PUNE

sd/-

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

sd/-

**B.D.Gaikwad**  
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.