

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

**Case No. 12/2018**

**Date of Grievance : 07.03.2018**

**Date of Order : 18.06.2018**

**Hearing Date : 09.05.2018**

**& 17.05.2018**

**In the matter of complaint of excessive exorbitant bill.**

Smt. Asha Bhosale - Complainant  
Plot No.5, S.No.64, CTS No.1/4/2,  
Near junction of Lagoona Resort Road,  
Tungarli Dam Road,  
After Expressway Flyover,  
Tungarli, Lonavala-410401.  
Consumer No.181010430075.

Vs.

The Executive Engineer,  
MSEDCL, - Respondent  
Rajgurunagar Division.

Present during the hearing:

A] - On behalf of CGRF, Pune Zone,Pune.

- 1) Shri. A.P.Bhavathankar, Chairman, CGRF,PZ,Pune
- 2) Mrs.B.S.Savant, Member Secretary, CGRF, PZ, Pune
- 3) Mr.Anil Joshi, Member, CGRF, PZ. Pune.

B] - On behalf of Appellant

- 1) Smt.Anuja Bhosale, Consumer Representative.

C] - On behalf of Respondent

- 1) Shri. U.S. Chavan, Addl. Ex. Engr., Lonavala Sub/dn.

Smt.Asha Bhosale, Consumer No. - 181010430075, **Category - Residential,**  
**Sanctioned load - 21 KW, Connected load - 70 KW, MD - 40.3, current**  
**Reading - 34059, date of connection - 27.07.2013.**

Consumer complained about excessive / exorbitant bill issued by the Utility in the month of Sept. - Oct. 2016 amounting to Rs.58390/- and claimed refund of the excess amount charged. After receipt of the electricity bill in question in the month of October, 2016 amounting to Rs.58,930/- the abovenamed consumer initially filed complaint with the Executive Engineer, stating that the premises is being occupied by them only few days in a months - i.e. ordinarily only for 2-3 days even in a month. Despite this, the utility issued exorbitant bill for Rs.59,226/- for the month of October, 2016. The consumer had, however, already made payment of Rs.29610/-, being 50% of the bill amount, on 17.12.2016 by way of cheque. However, again in the month of Nov.2016, a fresh bill for Rs.17,196.82 was received by the consumer. Therefore, consumer wrote letter on 19 Jan.2017 vide letter No. VBT/RDB/BMK/319 and made complaint against the exorbitant bills being received. Consumer alleged that even after submission of the said letter, the Utility officials did not visit her premises and continued to issue exorbitant bills. Being aggrieved by the conduct of the Utility officials, the Consumer lodged a complaint in Form No.- X on 5<sup>th</sup> April-2017 with the IGRC and raised the dispute. After receiving the said complaint, IGRC registered case No. 10 of 2017 and the notice was issued to the Respondent Utility. In response, the Respondent utility submitted its say to IGRC that in the month of **September-2016**, the premises was locked and, therefore, actual consumption of electricity units recorded on the meter could not be noted, and, therefore, average bill of consumption unit **1304** was issued to the consumer. However, in the month of Oct.2016 actual reading for electricity units consumed and recorded on the meter as 4284 units. This is a record of unit consumption for 2 months. The consumer was, however, given credit of Rs.15647 as per the bill generated on the basis of sanctioned load of 21 KW, but on the basis of maximum demand, which was increased to 40.03 KVA. Accordingly, the consumer was informed of the excess load consumption by the consumer who was requested to get sanction for the excess load being consumed by her following which the current reading was recorded on 16.5.2017 at 36852 units. The status of the meter verified on receipt of the complaint from the consumer and the report is OK. Therefore, utility officials intimated the consumer on 8.12.2016 requesting to pay the bill of Rs.58390/-

According to demand letter dt.08.12.2016 the consumer though deposited the said bill being disaviled but contested matter before IGRC on 21.07.2017. The IGRC decided complaint stating that during the months of Sept. & Oct. 2016 as the premises were locked, average bill was generated and when the complained meter was tested the meter was found OK. The consumption recorded on the meter of the consumer and billed for 2 months for the bill amount Rs.58390/- is proper and correct and the consumer should, therefore, pay the bill. The consumer, accordingly, deposited the said bill but not accept the decision of IGRC. Thereafter the consumer approached to the Forum and filed the complaint in Form No. A on 07.03.2018. The consumer had grievance that earlier also the Utility had generated exorbitant bills for the period since 2014, 2015 & 2016. The residential premises are not in regular use, but are put to use for a period of 2 - 3 days in a month and for rest of the period, premises is not occupied. Despite this, exorbitant bills are generated by the Utility. In support of her contentions, the consumer relied upon the newspaper reports about suicidal death of the farmer after receiving exorbitant bill from the Utility and therefore, seriously challenged and contested and made allegation against the arrangement of the Utility for receiving exorbitant bills on continuous basis.

After receiving the said complaint at CGRF, notice was issued to the Respondent Utility which submitted its reply and also contested the said matter stating that after the complaint made by consumer after receiving bill of Oct.-2016, the premises was visited by the Utility Officials and series meter was installed, the consumption of electricity was kept under observation and actual meter reading was recorded, on the backdrop of testing report of the meter which was OK. Connecting load of the consumer was more than the sanctioned, MD increased to 40.3 and average bill was generated for Sept. & Oct.-2016. The allegation of consumer is, therefore, not correct. Consumer received and paid the said electricity bill as per actual consumption. Consumer is, therefore, not entitled for refund of any amount paid, with interest.

Consumer attached copy of disputed bills for Sept., Oct., Nov. & Dec.-2016. The Consumer also relied upon record maintained by herself in respect of actual consumption of the electricity for the earlier period of the year 2015 and also day to day consumption of units recorded by her., copy of the letter and correspondence exchanged between the consumer and the Utility official, copy of complaint lodged with the IGRC, copy of reply and copy of judgment. Respondent utility relied on copy of CPL, copy of meter testing report, copy of letter dtd. 8.12.2016 and accordingly contested the claim of the Utility.

After minute verification of consumer complaint and the documents filed by consumer, I had also carefully went through the reports of utility and accordingly, the following points had arisen for my consideration to which I have recorded my

**Findings to the points for reason given below:**

1. Whether utility issued exorbitant and illegal recovery bill in the month of Oct. & Nov.- 2016 amounting Rs. 58830/- to consumer?
2. Whether bill generated by utility is of excessive meter reading due to defect of meter notice ?
3. Whether consumer is entitled for refund of any amount ?
4. What order?

**Reasoning:-**

I have given opportunity to the consumer and their is representative who appeared before the Forum. Mainly I have carefully considered the allegation and all the documents filed by consumer state wise. The meter testing report and the copy of CPL verified. It appears that the connection given to the consumer to the premises was initially for LT to Commercial- 04, connecting load appears in the bill 3 KW, 3 KW and date of connection shown 27.7.2013. Bill generated on 30.1.2014 placed before the Forum. Thereafter subsequently event it is found that the connection as per reported on the meter bill 27.01.16 change the category 92 LT-I, 3 phase sanctioned load is 2.10 KW in the month of Jan.2016. In subsequent even bill

generated in the month of Sept.2016 reflect that the connecting load and the sanctioned load is increased by 21 KW but actual demand connecting load was never verified, therefore considering the nature of dispute it was related per day actual consumption during the period of dispute and the current status position as on today was required to be verified. I have given directions to respondent utility official Ex. Engineer to visit the premises and verify actual connecting load utensil and instrument attached to the load. The position of supply should be verified carefully, in addition I have given special directions to respondent utility to check out MRI data of both the meters for considerably disputed period and actual current status position. Accordingly respondent utility official under intimation of consumer visited the premises on 16.5.2018 tested the connecting load, sanctioned load and gave the report of status, room wise instruments attached to the premises, copy of testing report, connecting load and actual units attach to the premises please submitted which are reproduce as under staff.

Thereafter respondent utility submitted MRI data recorded for available for 6 month which was carefully considered. The event reported in MRI data and the actual connecting load revealed to be that though sanction load is 21 KW applied by the consumer in the month of Jan.2016, the actual demand and requirement of connecting load is more than 70 KW. The testing report and the connecting load revealed further that the MD was increased by 40.03 % which is considerably high for the safe side consumption pattern. Consumption of unit of this consumer also separately assessed. The actual connecting load found as per report is more than 100 KW- 206 KW range. It is exorbitant and high 48% of connected load KW consumed as the premises are having the swimming pool and heaters and remaining is consumed and Residential premises and other premises also. Considering the actual residential premises is not occupied by consumer continuously for longer period but remaining premises which is in access and supervision of Watchman was not controlled. The allegation of theft by unknown person instance is verified through the technical inspection report revealed that there is no interruption in the supply even to service wire to the meter and no break in circuit found during inspection in its premises. Therefore the possibility of event of theft is ruled out. This technical

data is verified considering actual connecting load situated in the premises and actual consumption. Required MRI data is compared and found as per the report given in month wise for the considerable time. The MD was increased in 2-3 occasions in a month and actual consumption was very high during those days.

During the second hearing the possibility of date wise consumption during disputed period and the subsequent period is verified. Consumer was not agreeable for heavy and excess consumption during he observes in the premises. She submitted that earlier higher consumption should not be compared with the present data and it obviously appears to be exorbitant reading recorded earlier which is beyond imagination. The allegation is heard by the Forum. I come to conclusion, that the method adopted in this case one is examination of sanctioned load and connected load, actual unit consumption pattern of consumer since 2015, technical report of MRI available six months consumption and after applying all the 3 test the consumption pattern is about 1800 unit p.m. maximum, to 730 unit p.m. The consumer falls in the category of more than 1500 units consumption pattern. The reason of issuing exorbitant bill allegation in the month of Sept., Oct., & Nov.-2016. The premises was found locked and average bill was generated in earlier event. The respondent utility official submitted that consumer was given benefit of slabwise bifurcation of payment of bill during the month and accordingly it was recovered and the credit adjustment benefit was already given to the consumer and after testing the report the bill generated is proper and as per actual consumption of unit being recorded on meter correctly. Therefore consumer is liable to pay the said bill. It is fairly submitted that the bill generated and issued by utility is already paid. To my view MRI data and consumption pattern recorded of this consumer falls in the category of more than 1500 units slab. The rate of per unit charged is more than 11.75 per unit and the period of bill is more than 2 months. On verification of all disputed bill, I did not find any illegality or miscalculation even the allegation made by the consumer is not supported by any technical report. Therefore I am not inclined to accept the allegation made by consumer against utility. Hence consumer is not entitled to any relief.

Hence I proceed to pass the following order.

**ORDER**

1. Consumer complaint No. 12 of 2018 stands dismissed.
2. No order as to the cost.

On request of complainant the date of hearing was postponed and hence time limit of sixty day could not be observed.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Pune Urban Zone, Pune on 18<sup>th</sup> June - 2018.

Note:

- 1) If Consumer is not satisfied with the decision, he may file representative within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

**Address of the Ombudsman**

The Electricity Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606, Keshav Building,  
Bandra - Kurla Complex, Bandra (E),  
Mumbai - 400 051.

- 2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

I agree/Disagree

I agree/Disagree

I agree/Disagree

Sd/-  
**ANIL JOSHI**  
MEMBER  
CGRF:PZ:PUNE

Sd/-  
**A.P.BHAVTHANKAR**  
CHAIRPERSON  
CGRF: PZ:PUNE

Sd/-  
**BEENA SAVANT**  
MEMBER- SECRETARY  
CGRF:PZ:PUNE