

**CONSUMER GRIEVANCE REDRESSAL FORUM,  
AMRAVATI ZONE, AKOLA.**

*“ Vidyut Bhavan” Ratanlal Plots, Akola : 444001 Tel No 0724 .2434476*

Dt.23/07/2015

**Complaint No.13 / 2015**

**In the matter of grievance pertaining to wrong and excess billing and  
correction thereof with other reliefs, etc.**

**Quorum :**

Shri T.M.Mantri, Chairman

Shri D.M.Deshpande, Member

Shri. R.A. Ramteke , Member / Secretary

Shri Vijay Mahadeorao Gorle  
Rohini Building, Room No.3, Near  
Lady Hardings, Akola

Complaint No.13/2015  
Complainant

.....Vrs.....

The Executive Engineer (Urban) Div. Akola ..... Respdent

**Appearances :**

Complainant Representative : Complainant in person

Respondent Representative : Shri. Chandrakant Damse, Executive Engineer

1. The complainant's case In brief is that he is in occupation of the Government Quarter having electric connection and in view of some fault the consumed units have been shown in excess, since October 2014 and inspite of making requests, nothing has been done but the same position continued till January 2015 with excess units. The complainant, therefore, approached the

IGRC but to no effect. According to the complainant, in view of fault in the meter the excess billing has been done, so sought for reliefs on average basis. Alongwith the complaint, copies of certain documents came to be filed.

2. After receipt of notice of this Forum, the N.A. has filed reply alleging that after receipt of complaint, spot inspection was carried out on 4-12-2014 and he has been asked to submit application for checking of the meter but the complainant did not submit any application. The N. A. on its own replaced new meter on 10-12-2014. It is stated on inspecting the meter, it was found to be OK and accordingly the complainant was informed orally. As the complainant's meter was proper, there was no correction in the bill and he was asked to remit the bills. Hence the complaint is liable to be dismissed. Alongwith the reply two documents came to be filed.

3. Heard the complainant in person and Shri Damse, Executive Engineer & Learned Representative of the N.A. It is pertinent to note that the complainant is the Government Servant occupying the Government Quarter and in view of excess reading shown in the meter, he has been required to lodge complaint. Copy of the order of IGRC is filed on record it is dated 20-2-2015 giving certain direction to the N.A. including that of issuing of corrected bills. Here, it is pertinent to note that even as per the reply of the N.A. new meter has been replaced on 10-12-2014 i.e. much before the order of

IGRC. It seems that the N.A. has not brought this fact to the notice of IGRC. If one peruses the other documents filed on record, it is clear that the N.A. has dis-connected the supply and during the course of argument, the complainant has submitted that for about 3 weeks he was without electric supply. No notice has been issued for dis-connection of the supply. In any case the order of IGRC has not been complied with by the N.A. The record clearly shows the complainant has been making grievance about the fault in the meter, no prompt steps have been taken. In the reply though there is reference of Spot Inspection and alleged testing of the meter, even the record clearly shows that there is no intimation about the alleged testing of meter, no signature of the complainant has been obtained. Not only this much, if one peruses the Test Report, it is clear that the details of figures given therein are not at all supporting the case and stand of the N.A. They are not tallying so as to accept the complainant's submission. It seems that mere paper formality has been done. No written intimation in that respect has been given to the complainant and in reply it has been stated that the complainant has been orally informed. It is thus apparently clear that the action on the part of the N.A. is not as per the Rules and Regulations. Copy of the Spot Inspection report is also not filed on record.

4. In any case, if one peruses the material on record, it is clear that the complainant's average consumption is about 50 units per month and even below that. During the relevant period from October 2014 to Jan.2015, the consumption of much higher units i.e. 371, 431, 288 and 101 shown respectively for these 4 months. Here, it is pertinent to note that after replacement of new meter consumption of the subsequent months are much below 50 units i.e. normal & usual past consumption. The N.A. has been asked to file up to date CPL and accordingly the CPL from January 2014 to July 2015 has been filed on record, which clearly supports the complainant's contention that except during the disputed period of 4 months, the consumed units are much less than the period of 4 months billing. It is even not the case of the N.A that there was change of user by the complainant. It appears that even as per the N.A. there was fault of earthing and it was rectified. In any case for non-production of best documentary evidence in the possession of the N.A. as per the settled legal position requires to draw the adverse inference against the N.A. As already observed above, there was dis-connection of electric supply. However, the complainant has not made reference thereof in the present complaint and he has sought relief of issuing of correct bills only as per the average consumption for alleged disputed period.

5. That upon giving considerable thought to the available material on record, coupled with the provisions of the Regulations, it is apparently clear that during the period October 2014 to January 2015, because of fault of N.A. excessive readings have been shown in the meter. The complainant is not liable therefor as per the provisions under the Regulation. This Forum thinks it proper of giving directions to the N.A. to withdraw the controversial bills of these 4 months i.e. October 2014 to January 2015 and to issue bill on average consumption on the basis of use of the complainant during the last 12 months preceding October 2014. After installation of new meter, proper bills are issued from the concerned and the complainant has no grievance therefore. It needs to be mentioned here that if the complainant has deposited any amount during this relevant period, the same needs to be adjusted in the forthcoming bills payable by the complainant and if the complainant has not made the payment, he should deposit the same immediately, after receipt of the corrected bills in pursuance of the order within stipulated period. The complainant's submission that he was required to approach the authorities of the N.A. time and again and suffered harassment has not been confronted from the side of N.A. Thereafter considering the facts it will be just and necessary to award reasonable cost to the complainant. With such observations, this Forum proceeds to pass the following order unanimously.

## ORDER

1. That the complaint No. 13/2015 is hereby allowed. The N. A. is directed to set aside the impugned bills for the month of October 2014 to January 2015(4 months) and to issue revised correct bills on the basis of average consumption for the last 12 months preceding October 2014.
2. The amount if any paid by the complainant, be adjusted in those bills/forthcoming bills, else complainant should deposit the amount of the revised bills immediately within the stipulated period.
3. In view of the facts and the circumstance, the complainant is entitled to the cost of Rs.500/-
4. That the compliance report be submitted within one month from the date of this order.

Sd/-  
(R.A.Ramteke)  
Member/ Secretary

Sd/-  
(D.M.Deshpande)  
Member

Sd/-  
(T.M.Mantri)  
Chairman

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No.CGRF / AMZ/ Akola/ 760

Dt. 28 /07/2015

To  
The Nodal Officer / Executive Engineer,  
MSEDCL,

Urban Division,  
Akola

The order passed on 23-07-2015 in the Complaint No. 13/2015, is enclosed herewith for further compliance and necessary action.

Secretary,  
Consumer Grievance Redressal Forum,  
MSEDCL, Amravati Zone, Akola

**Copy to:**

Shri Vijay Mahadeorao Gorle , Rohini Building, Room No.3, Near Lady Hardings, **Akola**

**Copy s.w.r.to:-**

The Superintending Engineer, O & M Circle Office Akola.