

O/o. Chief Engineer, (BMTZ) Zone office, Plot No. P.34, Above Bank Of Maharashtra MIDC Area,
Baramati. Ph. (02112)244771 Fax. 244773 E-mail: cebaramati@mahadiscom.in, cebaramati@gmail.com

NO.EE/CGRF/BMTZ/

Date: 11 Feb 2013

In the matter of

Case No. 11/2012

Shri Bandu Vyankatesh Joshi.
C-123 New Santoshnagar
Near Bharati Vidyapeeth,
Solapur Pin 413004

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Applicant (Complainant)

Versus

Executive Engineer
Electricity Distribution Co. Ltd. -
Solapur (U) division
Solapur.

Opponent
(Here in after referred As Respondent)

Quorum

Chair person	Mr. S.D. Madake
Member Secretary	Mr. D.U. Ghatol
Member	Mr. Suryankant Pathak

The applicant filed present grievance application before forum on date 2/11/2012 under regulation 6.4 of Maharashtra Electricity Regulatory Commission Consumer Grievance Redressal Forum & Electricity Ombudsman Regulations 2006, here in after referred as regulations. Grievance is filed against the order passed by Internal Grievance Redressal Cell Solapur on Dt. 8/06/2012.

- 1) The hearing was scheduled on date 20.12.2012 At MSEDCL Solapur Circle Office. Applicant was unable to attend the hearing as he informed. Applicant representative submitted documents on behalf of applicant.

- 2) The applicant is Residential consumer of MSEDCL having consumer No. 330240715180. Dispute arise when respondent send a notice to applicant under sec 56 (1) of Indian Electricity Act 2003 in month of Oct-11, showing the applicant in arrears of Rs718.21 (Seven hundred eighteen rupees.). The applicant was billed on average consumption for 21 months since Nov 2009 because of house locked. After getting actual reading of consumption, credit bill of Rs 3370 was given to him in the month of Sep 11. Again average bill was issued to applicant for two months Oct 11 and Nov 11 which was not agreed by applicant as credited amount Rs. 3370 was balance with MSEDCL and hence not paid by him and applicant came in disconnection list. Respondent send a notice to applicant under sec 56 (1) of Indian Electricity Act 2003, showing the applicant in arrears of Rs. 718.21 (Seven hundred eighteen rupees). Before issuing notice Shri Jevargi Assistant accountant and junior law officer have not checked contain of notice and account details and is the cause of harassment to applicant.
- 3) Respondent does not file any written statement prior to hearing, but submitted it on the date of hearing. It is stated that Notice under sec.56 (1) of Indian Electricity Act 2003 was issued to the consumer due to oversight, the power supply of the consumer was neither disconnected nor there was any interruption in the services provided to him. No any additional/ wrong bill was issued to the consumer. The concerned subdivision in charge has expressed his apology to the consumer. As per Circle office (IGRC) order dated 08.06.2012 a warning letter was issued to the concerned employee responsible for issuing wrong notice under sec.56(1) of Indian Electricity Act 2003. the fine of Rs. 100/- was imposed on the employee Shri R.R. Upadhaya: L.D.C of subdivision. Respondent requested that the consumer has not filed the said appeal at CGRF Baramati within 60 days from the date of IGRC order hence not to consider the same.

The MSEDCL submitted that, notice was issued by mistake. Complainant has not alleged that, said notice was given fraudulently or dishonestly by any officer of the MSEDCL Company. Admittedly that no steps were taken in pursuance of the notice for disconnection of electricity supply. The record further shows that, MSEDCL has conducted a detail inquiry in respect of the said notice. MSEDCL has taken proper steps against persons who were held responsible for issuing the said notice on the basis of inquiry report. We are of the considered view that, proper steps are taken by MSEDCL immediately after receipt of the complaint of Mr. Joshi regarding issuing of notice.

As no actual loss was caused to complainant in monetary terms or inconvenience, it would not be proper to award compensation. In the result prayer of complainant for issuing show cause notice & taking action against other persons is not just & proper when already action has been taken, on the basis of inquiry report. Hence, complaint is liable to be filed.

ORDER

- 1) The complaint is filed.**
- 2) No order as to cost**

Mr. S.D. Madake
(Chairperson)

Mr. D.U. Ghatol
(Member Secretary)

Mr. Suryankant Pathak
(Member)