

**Maharashtra State Electricity Distribution Co. Ltd.'s  
Consumer Grievance Redressal Forum  
Gondia Zone, Gondia, Camp at Nagpur**

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**Case No.3/2016**

Applicant : M/s. Ekta Polymer  
MIDC Gadegaon, Zi-8,MIDC  
Rajegaon, Dist.Bhandara.

Non-applicant : Nodal Officer,  
The Executive Engineer,  
O&M Division,MSEDCL,  
Bhandara.

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Applicant :- In person

Respondent by:- 1) Shri Hiwarkar, E.E.Bhandar Dn.

Quorum Present : 1) Shri Shivajirao S. Patil,  
I/C. Chairman.

2) Shri N.V.Bansod,  
I/C.Member

3) Shri D.H.Agrawal,  
Member/Secretary

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**ORDER PASSED ON 18.08.2016.**

1. Applicant filed present grievance application on 11-07-2016 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Applicant's case in brief is that meter of the applicant was burnt on 02-04-2014 and intimation of the same was given to MSEDCL. There was no response

therefore supply of industrial connection was disconnected. On 05-04-2014 flying squad of MSEDCL visited the unit of applicant, installed meter No.00429529 and supply was restored. Therefore there was no supply during the period 02-04-2014 to 05-04-2014. On 05-04-2014 flying squad inspected this spot & prepared spot panchanama, removed old meter No.MSPO 9781 and installed new meter. In April-2014 average bill of 3704 units was given and in the bill of October-2014 DR adjustment amount is added Rs.505400/- and bill for Rs.556493/- is given to the applicant. Thereafter supply was disconnected on 11-03-2015 for nonpayment of the bill. Thereafter on application of the applicant, MSEDCL has reduced bill of Rs.505420/- to Rs.271820/- as per letter of Dy.Executive Engineer Bhandara(R) dated 20-05-2015. There is reference of section 135 of Electricity Act 2003 in the letter of Dy.Executive Engineer Bhandara dated 26-08-2015. But there is no F.I.R. against the applicant therefore no question of payment of Rs.271820/-. Applicant's claim to restore the connection.

3. Non-applicant, denied applicant's case by filing reply dated 06.08.2016. It is submitted that applicant Shri Md. Abid Siddiqi has totally three industrial unit at MIDC Gadegaon (Rajegaon) namely, (1) M/s Ekta Polymer (2) M/s Zen Enterprises (3) M/s Asma Ice Factory. On 28-03-2014 flying squad of MSEDCL effected the raid and found that applicant was committing theft of electricity (1) M/s Zen Enterprises (3) M/s Asma Ice Factory. Therefore as applicant committed theft in other factories. MSEDCL officer went to inspect present unit of the applicant M/s Ekta Polymer Officer of the MSEDCL Shri Amit Paranjape, Executive Engineer, Bandara, Shri R.M.Limje, Assistant Engineer and other went to present unit of the applicant M/s Ekta Polymer on 01-10-2014. However applicant and his

representative did not allow officer of MSEDCL to inspect present unit and obstructed. Therefore officer of MSEDCL lodged report in Police Station and demanded police protection. Therefore officer of MSEDCL could not inspect the spot on 01-07-2014. Detailed report to that effect was prepared.

4. On 01-04-2014 MSEDCL issued notice to the applicant and directed to remain present on the spot for inspection purpose on 02-04-2014. But on 02-04-2014 also applicant and his representative were not present. Therefore Assistant Engineer Bhandara issued letter dated 02-04-2014 to flying squad. On 05-04-2014 officer of flying squad inspected the unit of the applicant with the help of Police Inspector, Police Station Nagpur and found that meter was tremendously burnt and was not in a condition to test the meter. The meter was sent for examination. The transformer on which this connection was given also inspected and found that connection of the applicant was only one connection given from that transformer. Flying squad Bhandara informed as per letter dated 30-06-2014 that there is loss of MSEDCL of 59563 units amounting to Rs.505400/-. Therefore bill of that amount of prepared and handed over to applicant on 14-06-2014. Applicant did not pay this bill therefore it was added in the bill of October-2014.

5. On 29-10-2014 and 28-11-2014 applicant applied that this bill should be revised. For non-payment of electricity bill supply of applicant was disconnected on 11-03-2015 and on 30-06-2015 on application of the applicant revision was considered about reassessment of the bill and bill was revised as per DTC meter for Rs.271840/-. On 28-06-2015 applicant applied that he may be permitted

to 4 installments and he is ready to pay installment. The application is referred to Chief Engineer (Commercial) Mumbai in September-2015. and The Chief Engineer (Commercial) permitted for part payment on 17-11-2015. 4 installments were accorded to the applicant and intimated on 02-04-2016. But applicant did not pay this bill. Grievance application deserves to be dismissed.

6. Forum heard arguments of both the sides and perused record.

7. Record shows that electricity theft was detected on 01-04-2014 in two other units of the applicant (1) M/s Zen Enterprises (2) M/s Asma Ice Factory. Bearing in mind this aspect officer of MSEDCL went to inspect present unit of M/s Ekta Polymer on 01-04-2014 but applicant obstructed officer of MSEDCL and did not allow to inspected spot. Copies of the F.I.R. about theft in M/s Zen Enterprises and M/s Asma Ice Factory are already on record. Therefore there is base for suspicious for officer of MSEDCL for possibility of theft in M/s Ekta. Record shows that on 01-04-2014 Mr.Limje officer of MSEDCL lodged report against M/s Ekta Polymer that they are not allowed by the consumer to inspect spot and therefore police protection should be given for inspection for M/s Ekta Polymer. Therefore notice is issued by Executive Engineer to M/s Ekta Polymer directing the applicant to remain presence on 02-04-2014. There is also copy of letter issued by Assistant Engineer Bhandara dated 02-04-2014 to flying squad to arrange for inspection of M/s Ekta Polymer. We find no force in contention of the applicant that meter was burnt on 02-04-2014. only inference which can be drawn against applicant that they must have doing illegal activities in M/s Ekta Polymer like in other to units and therefore only applicant obstructed to officer and did not allow to inspect this spot. Applicant was sure that officers inspect this spot, theft in M/s Ekta Polymer may be detected as a 3<sup>rd</sup>

criminal case.

8. It is noteworthy that meter of the applicant was C.T. meter. Therefore technical person knows very well that in case of burning, only C.T. would have burnt and not the meter. Furthermore on this transformer, there is only one connection of the applicant. Therefore it is unbelievable that C.T. meter was burnt on 02-04-2014. If really C.T. meter would have been burnt on 02-04-2014 applicant would have issue letter in writing to MSEDCL but applicant did not issue letter to MSEDCL on 02-04-2014 that meter is burnt. Therefore in our opinion now with intent to suppress illegal activity of the applicant, now imaginary theory of burnt of the meter is firstly introduced All these aspect and sequence of the date shows that meter was not burnt on 2-4-2014 In our opinion applicant did not come to the forum that with clean hand. Applicant is trying to suppress illegal activities and trying to mislaid the forum.

9. It is noteworthy that on the application of the applicant assessment bill of flying squad is already revised by the Superintending Engineer to Rs.271840/-. The consumption which was found to be record in the May actually, on that basis bill was revised from Rs.505400/- to Rs.271840/-. Even installments are also granted to applicant but applicant did not complete required formalities of stamp paper or as per order by the Chief Engineer (Commercial). Therefore it is clear that he has no mind to pay and trying to prolong the payment.

10. We have carefully perused report of flying squad dated 05-04-2014 it is duly signed by representative of applicant Shri Ashok Ramdayal Pahire, all details are mentioned in this inspection report of flying squad. There is also copy of Marathi panchanama on dated 05-04-2014 on record and it is also signed by same representative of the applicant. We have also perused panchanama dated 05-04-2

-2014 prepared by flying squad. Rating on this document we come to conclusion that action of flying squad is legal and proper. We have also perused application of the applicant dated 24-04-2015 addressed to Superintending Engineer, Bhandara for permission to pay the 4 installment but applicant is not ready to pay and adopting the factice. For these reasons in our opinion there is no force in grievance of applicant and grievance application of the applicant and deserves to be dismissed.

11. Hence we proceed to pass the following order.

#### ORDER

Grievance application is dismissed.

sd/-  
(N.V.Bansod)  
I/C.MEMBER

sd/-  
(D.H.Agrawal)  
MEMBER/SECRETARY

sd/-  
(Shivajirao S. Patil),  
I/C. CHAIRMAN