

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

*" Vidyut Bhavan" Ratanlal Plots,Akola. Tel No 0724.2434475*

**ORDER.**

**Dt. 13/07/2016**

**Complaint No. :- 9/ 2016**

**In the matter of grievance pertaining to improper excessive billing , illegal  
disconnection, compensation etc.**

**Quorum**

**Shri T.M.Mantri, Chairman**  
**Shri. R.A. Ramteke ,Member-Secretary**  
**Shri. D.M.Deshpande-Member (CPO)**

Hasanand R. Jadhawani :- Complainant.  
Jawahar Road, Akot.  
Consumer No. Comm. – 318730400209

**.....Vrs.....**

Executive Engineer MSEDCL, :- Respondent  
O&M Division ,Akot.

**Appearances: -**

Complainant Representative :- Shri. Ashish Chandarana

Respondent Representative :- Shri., S.C.Jaiswal,Dy.Ex.Engineer

1. The complainant's case in brief is that its normal monthly electric consumption is 50 to 80 units, however in Sept-2015 bill of 517 units received, for which complaint was lodged and it was found that the meter is faulty. It was replaced and the next bill was for 197 units, out of which 164 units were of old meter and 33 units of new meter. Though the complainant made representation for correction in the bill but no due procedure was followed. The meter was not sealed, the complainant was not called at the time of inspection and has also made comments about the alleged details of the Test Report. As per complainant there is no dispute of the consumed units shown after replacement of new

meter & it supports complainant's claim. It is alleged that in spite making correspondence time & again nothing has been done. On the contrary on 07.03.2016, in night, the electric supply was disconnected. Upon contact being made with the concerned officer he has instructed to deposit 50% amount. Accordingly Rs. 6000/- deposited on 08.03.2016 with Rs.50/- towards reconnection charges. In spite pendency of dispute/grievance and without issuing notice of disconnection, the N.A. has acted contrary to Electricity Act. Again on 22.03.2016 the electric connection was disconnected and upon making written complaint it was restored in the night at 8.00 P.M. The complainant has asked for correction in the electric bills of Sept,Oct-2015 compensation initiating action against the responsible officer for illegal disconnection, mental harassment etc. Reference has been made of order of National Consumer Dispute Redressal Commission dt. 03.08.2014 in revision 3850 of 2008. Along with complaint copies of documents came to be filed.

2. After receipt of notice of this forum the N.A. filed reply to the complaint, stating that complainant is consumer since 1997 & from CPL it seems that prior to Feb-2015 bills of "Faulty Status" were being issued so in March-2015, New meter was replaced, the N.A. has given details of monthly consumed units, upon receipt of complaint of 517 units, the meter was sent for inspection, and after receipt of the Test Report copy thereof was given to the complainant and adjustment was made to avoid burden on the complainant, it was bifurcated. The complainant's grievance about disconnection of electric supply without written notice is not correct. Because of technical fault there was disruption of electric supply and on getting information thereof it was restored immediately. It is stated that whenever the complainant came to the office he was explained everything, so also informed about Test Report and adjustment of the units. The complainant's grievance being untenable is liable to be dismissed. Copies of certain documents filed with the reply.

3. Heard Shri Ashish Chandarana & S.C.Jaiswal Dy.E.E., the learned representatives of the parties. Admittedly complainant is consumer since No. of years & upon receipt of the exorbitant bill written complaints were made on 11.09, 18.09.2015. From

the record it is clear that normal monthly consumption was 50 to 70 units prior to Sept-2015 and even after replacement of new meter, the reading is in the same range. Sept-2015 bill was of 517 units & next bill was of 197 units ( After replacement of new meter) with reading of 33 Units in new meter and 164 units of old meter) so apparently except the two disputed bills the consumption was and is in normal range. So apparently during this period the meter shown excessive reading.

4. Admittedly complainant was compelled to pay the amount of Rs. 6000/- as per receipt dtd. 08.03.2016, so also Rs.50/- towards of Reconnection Charges on 08.03.2016. The complainant has made written complaints from time to time and copies thereof are on record bearing seal and signature of the recipient on behalf of concerned office of the N.A. In view of disconnection of electric supply without making statutory compliance by the N.A., the complainant was compelled to pay Rs. 6000/- as directed by the official of the N.A. Neither any 15 days notice in writing was issued nor other compliance were made. The facts that from complainant Rs. 50/- has been collected as "Reconnection Charges" clearly supports the case of the complainant and establishes hollowness in the defense reply, that the N.A.'s stand that electric supply was not disconnected is clearly false as it has collected Rs. 50/- for Reconnection Charges. The complainant has made detailed written complaints on 03.03.2016 & 09.03.2016. None of them have been replied but untenable defense has been raised in reply.

5. Even if one peruses the alleged meter testing report it clearly shows that neither requisite details are given there in nor it bears signature of Meter Tester. On going through the alleged Test Report it is clear that the manner it was filled in does not support the defense of the N.A. Neither intimation/notice was given to the complainant nor he was called, it does not bears his signature. In any case the N.A. could not point out that the said report is correct and remarks there in arrived at with supporting relevant data. As per as complainant's allegation about disconnection of electric supply on 22.03.2016 and reconnection thereof after oral grievance, does not appear to be correct and there is nothing

is support on behalf of N.A. It has been submitted that because of technical fault there was break in supply and on getting information it was restored.

6. So, the record clearly shows about excessive and incorrect billing of Sept & Oct-2015, so also illegal disconnection of supply on 07.03.2016 which was restored after making payment of Rs. 6000/- with 50/- towards Reconnection charges, is act of highhandedness on the part of the concerned officer of the N.A., that too, without making statutory compliances. The complainant is therefore entitled for appropriate relief in the form of correction of this (two bill Sept, Oct 15) on the basis of normal consumption of 80 units per month, compensation of Rs. 5000/- for issuing of incorrect bills, non taking cognigence of the complaints of the complainant but illegally disconnection of electric supply on 7/8 Mar-2016, as per ruling of the Hon. Apex court, so also National Consumer Dispute Redressal Commission in the matter of licensee itself, in petition No. 3850 of 2008 dt.25.03.2014, apart from cost Rs. 1000/-. Needless to say that the monitory liability of compensation and cost needs to be recovered from erring officer for acting with highhandedness & illegally. As the complainant has already paid Rs. 6000/- whatever balance remains to be adjusted in the forthcoming bills payable by the complainant, with such observations the forum proceeds to pass following unanimous order.

### **ORDER**

1. The complaint No.9/2016 is here by partly allowed.
2. The N.A. is directed to rectify the electric bills of Sept & Oct-2015 at the normal monthly consumption rate of 80 units per month and to adjust the amount paid by the complainant's in forthcoming electric bills payable by him.
3. The N.A. to pay Rs. 5000/- towards compensation for harassment & illegal disconnection of electric supply of the complainant alongwith cost of Rs. 1000/-

4. The N.A. to recover this monetary liability of compensation, cost imposed vide the order from the erring officer of the concerned office of the N.A., in view of Illegal disconnection & highhandedness on his part as per principles laid down by Hon. Supreme Court of India & National Consumer Dispute Redressal Commission apart from taking administrative action as per service regulation.
5. That the compliance report to be submitted within period of two months from this order.

Sd/-  
Member/Secretary

Sd/-  
Member (CPO)

Sd/-  
Chairman

Contact details of Electricity Ombudsman appointed by MERC (CGRF&EO) Regulations-2006 under Regulation 10:

THE ELECTRICITY OMBUDSMAN,  
Office of Electricity Ombudsman (Nagpur)  
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni, Nagpur-440 013.  
Phone : 0712-2596670

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**No.CGRF /AKLZ/ AKL/ 107**

**Dt. 13.07.2016**

**TO**

The Nodal Officer,  
Executive Engineer  
O&M Division, MSEDCL, Daryapur Road, Akot.

The order passed on 13 /07/16 in the Complaint No. 9 /2016, is enclosed herewith for further compliance and necessary action.

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

**Copy f.w.c to :-**

1. The Superintending Engineer O&M Circle, MSEDCL, Akola.
2. Hasanand R. Jadhawani,  
C/o Dilip H. Jadhawani, Jawahar Road, Akot. Distt. Akola.

Sd/-  
Member/Secretary

Sd/-  
Member (CPO)

Sd/-  
Chairman

R.A.Ramteke  
Member/Secretary

D.M.Deshpande  
Member (CPO)

T.M.Mantri  
Chairman