

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

*“Vidyut Bhavan”,
Ratanlal Plots,
Akola: 444 001
Tel.No.2434476*

Dt- 08/10/2013

Complaint No.70/2013

Grievance in the matter of incorrect and excessive bill

Quorum :

Shri T.M.Mantri,	Chairman
Shri P.B.Pawar,	Secretary
Shri A.S.Gade	Member

Sau. Pushpabai S.Bhaspale (Con.No.310071501468) ... Complainant

...VS...

The Executive Engineer, MSEDCL (Urban) Division,Akola ... Respondent

Appearances:

Complainant Representative: Shri R.D.Sureka

Respondent Representative: Shri P.R.Ghorude, Dy.Exeutive Engineer

1. The complainant has approached this forum in respect of her grievance about illegal and excess bill issued for April-2013 worth Rs. 67,640/- so also abrupt change of user to commercial. Reference has been made to impugned bill of April-2013. It is alleged that though the complainant has enquired with the employees of the concerned office of the N.A. licensee, without giving any details, it has been informed that the bill in question is for theft of electricity hence the amount be deposited immediately else the connection will be disconnected , meter will be taken-out and offence will be registered for theft of electricity with the Police.

2. The complainant has alleged that her financial condition is poor and it was not possible to pay the amount of the impugned bill hence written complaint dated 8/5/2013 was made. Though the complainant approached the concerned office for taking the appropriate action on the application, as well as providing all the documents, however, initially, it was avoided, later-on certain documents have been provided from which it revealed that it was not the case of theft as alleged but to be of unauthorized user u/s 126 of the Electricity Act, 2003. The complainant has alleged that for the assessment made by the Dy. Executive Engineer, Flying Squad, as well as the concerned office of the N.A. licensee has not given any opportunity of hearing and without passing order of final assessment, the amount has been debited to the complainant's account, which is totally illegal.

3. The complainant has then made reference of MERC order in 19/2012, in respect of billing under residential category of the consumer like complainant and alleged that the consumption of the electricity in the past year is less than 3600 units. It is further alleged that the alleged action u/s 126 is totally illegal. Reference has been made to order of MERC in the matter of fault by Grahak Sanghtana.

4. It is alleged that as nothing was done, the complainant had approached with the grievance with the IRGC, Akola but the said authority has also rejected the same by letter dated 2-July, 2013. The complainant has further compelled to approach the Forum seeking the reliefs prayed for. A bunch of documents came to be filed alongwith the complaint.

5. Notice as per regulations issued to the concerned office of the N.A. licensee calling upon its reply to the complaint. The reply came to be filed

justifying the action by referring to the findings of the flying squad and preparation of provisional assessment for Rs. 61,983/- for commercial consumption and issuing of the bill accordingly. Alongwith reply, copies of certain documents came to be filed. On the next date additional reply came to be filed on behalf of the N.A. licensee referring to the regulation 6.8(a) of Regulation 2006 stating that the grievance does not fall within the purview of the regulation hence liable to be dismissed. The matter was then posted for hearing. Again reply came to be filed under the signature of the Executive Engineer, Urban Division, Akola raising similar type of pleas and further reiterated that it is the case of section 126 of the Electricity Act and internal grievance cell has rejected the case hence the complaint be dismissed. The matter was then again posted for arguments. Written submission came to be filed on behalf of the concerned office of the N.A. licensee and referred to the letter dated 11/9/2013 of the flying squad whereby order has been passed cancelling the bill for Rs. 61,893/- and in pursuance thereto adjustment of the amount mentioned in the bill of September, 2013 is made. Copies of certain documents came to be filed.

6. At the time of hearing the complainant's representative remained absent and Shri Ghorude, Dy.E.E. has made submissions justifying the action and submitted that after re-verification the bill has been revised and adjustment of Rs. 68,303/- has been made from the bill, thereby the bill has been corrected and as the complainant's grievance is settled the complaint be disposed off. On the next date the representative of the complainant Shri R.Sureka attended the proceedings and filed the authority. He has submitted that as the excess bill has been revised on re-verification by debiting the amount as mentioned therein the complainant's grievance is practically settled

and the complainant is satisfied though the steps have been taken late from the side of the N.A. licensee.

7. Upon considering the available material on record coupled with the documents and submissions made on behalf of both the parties, it is clear that the initially mistake has been committed on the part of the N.A. licensee which has been revised during the re-verification and as the complainant's grievance in respect of the excessive and illegal bill having been revised, the matter needs to be disposed off with the observation that the concerned officer/staff of the N.A. licensee to take due care while dealing with the grievance of the complainant at the threshold itself. Even at the level of IGRC the claim was rejected on technical ground. Here in the present case on 2/3 occasions reply came to be filed on behalf of the N.A licensee justifying the action, which clearly shows that without going into the facts and the nature of grievance, the reply came to be filed. Henceforth such things should not be repeated. With such observations this forum proceeds to pass the following unanimous order.

ORDER

- 1) That complaints NO. 70/2013 is hereby disposed off as the grievance of the complainant has been resolved during the pendency of the present complaint.
- 2) In the circumstances no order as to costs.

Sd/-
(A.S.Gade)
Member

Sd/-
(P.B.Pawar)
Secretary

Sd/-
(T.M.Mantri)
Chairman