

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

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

Dt- 01/07/2013

Complaint No.40/2013

**In the matter of complaint of Shri Shekh Mantu Gulam Gaus
in respect of excess billing, correction therein and restoration of electric
supply**

Quorum :

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

Shri Shekh Mantu Gulam Gaus (Con.No.310071418366) ... Complainant

...VS...

**The Executive Engineer,
Urban Division Akola.**

... **Respondent**

1 The complainant approached this Forum in respect of his grievance about excess billing, correction therein and restoration of electric supply.

2. The complainant alleged that his residence is only of two rooms with low energy use approximately 70 to 80 units per month. However, for April-2011 exorbitant bill for Rs. 1430/- was issued to the complainant whereas subsequent bill for May-2011 was for Rs. 380/-. The complainant remitted the payment of those bills.

3. It is alleged that the meter in the premises was old one and not digital. The N.A. licensee taking advantage of the illiteracy of the complainant, has

started issuing exorbitant bills alleging commissioning of theft in the form of tampering. It is alleged that in January-2013 bill of Rs. 25,710/- was issued and prior thereto, merely on suspension the meter report was called on 12/9/2012. It was revealed that the said meter is perfect and alright and no tampering or interference has been made therein. In spite of issuing notice dated 31/12/2012 and receipt thereof the N.A. licensee neither corrected the electric bill nor given any reply. Even no notice as per the provisions has been issued to the complainant prior to disconnection of electric supply and it has been disconnected illegally.

4) It is alleged that he is a senior citizen having limited family and being poor there are no items of any luxury running on the electric power. The officer of the N.A. licensee for no reason and only to suppress the mistake in the electric bill issued to the complainant, has illegally disconnected the electric supply. Being residing near the canal there is a possibility of danger to the life, hence the electric supply be restored immediately by interim relief on the basis of past bills of the complainant. Alongwith the complaint, copies of documents such as order of IGRC, electric bills, notice u/s 56(1) of Electric Act dated 14th February, 2003 and letter of IGRC about hearing of the matter came to be filed.

5) The N.A. licensee opposed the claim of the complainant by filing reply after receipt of notice of the Forum, stating that as per CPL the electric consumption of the complainant is varying from time to time. The details of the bills of May-2012 to July-2012 for Rs. 1095/-, Rs. 663/- and Rs. 693/- respectively, have been came to be issued. On the grievance of the complainant, his meter was replaced in September-2012 and as per the request the meter was got tested from Testing Unit. It was revealed that the meter is

perfectly running and alright. By letter dated 20/9/2012 the complainant was so informed. However, the complainant did not remit the amount of the bills since 25/5/2012. As per Section 56(1) of the Electric Act on 14/2/2013, notice was issued and inspite thereof, as the complainant did not remit the payment of the bills, the power supply was disconnected.

6) On 26/2/2013, the complainant submitted grievance before the IGRC, Akola. Upon hearing the rival contention of both the parties, in the order it was held that the bill issued to the complainant is correct. The bill was as per the meter reading. As per the meter testing report, it was communicated to the complainant The details of the electric used during May, June was communicated, in view of such user, such bills have been issued. As per the reading the bill is just and proper. The complainant be informed accordingly and the complaint be dismissed. Alongwith the reply copies of CPL, meter testing report, notice dated 14/2/2013, the order of IGRC etc. came to be filed.

7) The matter was then posted for hearing. In view of the absence of the complainant the matter was adjourned to next date and again notice was issued. Even on the adjourned date none appeared on behalf of the complainant. On behalf of N.A. licensee Shri Sagne, Executive Engineer, the learned representative had attended the proceedings. He has advanced his submission.

8) On going through the record, it is clear that after filing of the complaint the complainant has chosen to remain absent and never attended the proceedings though it was adjourned. Inspite of sending letters the complainant did not turned up. On going through the records, more particularly copy of CPL, it is clear that there used to be variance in the electric consumption of the complainant. It is further clear there from that even the

complainant was not regular in paying the electric bills. There used to be accumulation of the amount of bills. From the copy of the CPL it is clear that the earlier payment is made by the complainant on 16/9/2011, thereafter on 24/2/2012 and lastly on 25/5/2012. Thereafter, no payment has been made by the complainant towards the electric bills. Record further clearly shows that as per his request the meter in question was changed in September-2012. The copy of the testing report of the meter is filed on record and it was found that the meter was Ok. As already observed above, after 25/5/2012 the complainant did not make any payment though the bills have been issued. The complainant himself has filed on record copy of the notice dated 14/2/2013 of N.A. licensee u/s 56(1) of Electric Act. Recitals there in clearly shows that there were dues against the complainant and inspite of issuing bills the payment was not made so 15 days notice was issued. Though in the complaint the complainant has alleged that without intimation and notice his electric supply has been disconnected, however, he himself has filed on record the copy of the notice dated 14/2/2013 ,which also filed from the side of the N.A.licensee. So it is apparently clear that the complainant has made incorrect averments in the complaint.

9) It is further clear from the record that the complainant had approached the IGRC in respect of his grievance. The copy of the order of IGRC has been filed by both the parties on record. On going through the said order it is clear that in view of non-payment any amount since 25/5/2012 the electric supply has been disconnected after issuing a notice u/s 56(1) of Electric Act. The IGRC has accordingly disposed off the complaint by making clear observations. The copy of CPL, Testing Report and the notice u/s 56(1) of Electric Act clearly demonstrates that no illegality has been committed by the N.A. licensee. On

the contrary as per the grievance the meter was replaced in September-2012 and its report found to be okay. The complainant could have made requests for making payment of the bills under protest / by reserving his right etc. That having not been done and continue non-payment of electric bills for months together there was accumulation of the amount. The notice prior to disconnection, as per the requirements, was issued and the complainant himself has filed copy thereof on record. It is thus clear that the complainant could not make out any case. The submission made on behalf of the N.A. licensee through its Executive Engineer, has supporting material on record. Consequently this Forum find no merit in the complaint and accordingly it is liable to be dismissed. Hence unanimously following order is passed.

ORDER

- 1) Complaint No. 40/2013 is hereby dismissed under the circumstances no order as to costs.

Sd/-
(A.S.Gade)
Member

Sd/-
(P.B.Pawar)
Secretary

Sd/-
(T.M.Mantri)
Chairman