

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM  
AURANGABAD ZONE, AURANGABAD.**

**Case No. CGRF/ AZ/ AUR/ R / 650/ 2017 /43  
Registration No. 2017090014**

Date of Admission	06.09.2017
Date of Decision	10.10.2017

Smt. Vimal Murlidhar Suradkar : COMPLAINANT  
Plot. No. 2, Ganesh Housing Society,  
N-8, CIDCO, Aurangabad 431001  
(Consumer No. 490010971516 ).

**VERSUS**

The Executive Engineer (Admn) : RESPONDENT  
Nodal Officer,  
O/O Superintending Engineer,  
Urban Circle, MSEDCL, Aurangabad.

**CORAM**

Shri	Laxman M. Kakade,	Chairman (I/c)
Shri	Laxman M. Kakade,	Member Secretary
Shri	Vilaschandra S. Kabra	Member.

..2/-

**CONSUMER GRIEVANCE REDRESSAL DECISION**

The applicant Smt. Vimal Murlidhar Suradkar, Plot. No. 2, Ganesh Housing Society, N-8, CIDCO, Aurangabad is a consumer of Mahavitaran having (Consumer No. 490010971516) The applicant has filed a complaint against the respondent, the Executive Engineer i.e. Nodal Officer, MSEDCL, Urban Circle, Aurangabad under Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum and Electricity Ombudsman) Regulation 2006 in Annexure (A) on 06.09.2017.

**The brief details of the complaint are as under.**

The complainant submits that on her request, Respondent had released single phase connection of 1 KW for residential purpose at above mentioned premises, in December 1993 with consumer No. 490010971516. There was no dispute regarding energy bills till the month of April 2017

The complainant states that she was shocked to receive a notice dtd. 11.07.2017 issued by MSEDCL, Jalna Police Station, Jalna against the complainant filed by Respondent for alleged theft of electricity of Rs. 1,34,480/- at Plot no. 2, Ganesh Housing Society, CIDCO, Aurangabad.

Complainant contacted her tenant Shri. Tupe and asked about details and it is learnt that, Respondent's team visited the premises and carried out inspection of her premises on 24.04.2017, but inspection report was not provided to the tenant.

The complainant visited the office of the respondent and requested to provide the copy of panchnama, spot inspection report, copy of assessment bill etc. Respondent handed copy of assessment bill and details of connected load to the complainant. Copy of spot inspection report, panchnama and assessment details etc. were not handed over to complainant in spite of repeated follow up. The Higher officer of Respondent confirmed that even if the alleged theft is accepted, the assessment amount calculated is wrong and violates the guidelines given in MSEDCL Circular No. 288 dtd. 12.05.2017. The respondent showed his inability to change the assessment amount as the said assessment was given by Assessing Officer who is now transferred to other place.

The Respondent also shown his inability to delete her name from the complainant as the said premises is given on rental basis to Shri D.S. Tupe, who is present occupier of the said premises. Complainant is ready to make payment provided that all documents like spot inspection report, copy of panchnama, meter testing report, copy of CPL and copy of assessment, as per MSEDCL Own Circular No. 288 dtd. 12.05.2017 are provided to her and the allegation of violation of Section 135 of Electricity Act 2003 is proved.

The respondent on one side are avoiding to provide documents and on the other side disconnected the electricity supply of premises which is against principles of natural justice. The complainant prays that grievance may be allowed, Respondent may be directed to reconnect the electricity supply till final disposal of the present grievance, Respondent may be directed to provide copy of panchanama, spot inspection report, assessment details, CPL etc. dtd. 24.04.2017. Respondent may be directed to issue correct assessment bill as per directives issued in the MSEDCL Circular No. 288 dtd. 12.05.2017 and other relief as deemed fit by Hon'ble Forum.

Complainant submitted rejoinder on dated 03.10.2017. She calculated assessment as per MSEDCL Circular No. 133 dtd. 15.02.2011 and circular no. 288 dtd. 12.05.2017 and states that net payable amount is Rs.12528/- She discloses that Respondent has not considered load and diversity factor while preparing assessment bill.

The complainant, therefore request to fourm to issue correct revise bill as per their own Circular N. 133 dtd. 15.02.2011 and 288 dtd. 12.05.2017.

**Say of Executive Engineer, Nodal Officer, Aurangabad Urban Circle.**

Executive Engineer, Nodal Officer, Aurangabad Urban Circle authorized to the Additional Executive Engineer, CIDCO Sub Division as representative of Mahavitaran,. He has submitted documents on dtd. 26.09.2017 & requested to extend the date of hearing to study the case and to submit parawise reply.

Additional Executive Engineer, CIDCO Sub Division has not submitted any parawise reply as per his request letter till date.

Additional Executive Engineer, CIDCO Sub Division has submitted documents in the case of of Smt. Vimal Murlidhar Suradkar, Plot No. 2, Ganesh Housing Society, N-8, CIDCO Aurangabad like FIR Copy at Jalna Police Station on dated 24.04.2017, Assessment Sheet, Bill issued to the consumer, Load Sheet, Meter replacement report, Spot inspection report and meter taken in custody report etc.

**Observations of the Consumer Grievance Redressal Forum.**

- 1) Complainant has received a notice dtd. 11.07.2017 issued by MSEDCL, Jalna Police Station against complainant filed by respondent for alleged theft of electricity of Rs. 1,34,480.00, but not details were provided at that time.
- 2) Complainant state that she is ready to make payment provided that all documents like spot inspection report, copy of panchanama, meter testing report, copy of CPL and assessment as per MSEDCL Circular No. 288 dtd. 12.05.2017 are provided to her.
- 3) Additional Executive Engineer, CIDCO, Sub Division has submitted documents on dtd. 26.09.2017 like copy of FIR lodged at Jalna Police Station on dated 24.04.2017 alongwith Assessment sheet, copy of bill, meter replacement and spot inspection report.

- 4) Additional Executive Engineer, CIDCO, Sub Division has requested to extend the date of hearing for time to submit his say but not submitted till date. With available documents, it is observed that case is of offence & penalties provided comes under section 135 and also FIR is lodged at Jalna Police Station.

As per Regulation 6.8, grievance referred to it falls within purview under Section 135 and shall be excluded from jurisdiction of the Forum.

In view of the above submissions made by applicant, Respondent during the hearings and the observations of the CGRF this Forum passes the following order.

**ORDER**

- 1) The application of the complaint is rejected.
- 2) Recover the arrears observing MSEDCL Rules.
- 2) The compliance shall be reported within 30 days.

Sd/-  
Laxman M. Kakade  
Chairman I/c

Sd/-  
Laxman M. Kakade  
Member / Secretary

Sd/  
Vilaschandra S.Kabra  
Member