

**Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup**

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/

Date :

Case No. 405

Hearing Dt. 29/10/2011

Shri Ramniwas Paramanand Agrawal - Appellant

Vs.

MSEDCL, Vashi

- Respondent

Present during the hearing

A] - On behalf of CGRF, Bhandup

- 1) Shri S. D. Madake, Chairman, CGRF Bhandup.
- 2) Shri R.M Chavan, Member Secretary, CGRF, Bhandup.
- 2) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B] - On behalf of Appellant

- 1) Shri Manoj Ramniwas Agrawal, Consumer Representative.

C] - On behalf of Respondent

- 1) Shri S.B. Kachare, Ex. Engr. & Nodal Officer, Vashi Circle.
- 2) Shri V.R. Nalwad, Dy. Ex. Engr. Vashi S/divn.

ORDER

Shri Ramniwas Paramanand Agrawal, is a owner of Devi Jyoti Chember at Sector II, Juhu Village, Vashi, Navi Mumbai. This building is constructed at plot no. 264.

There is adjoining building at plot no. 263 where Shri Anni C. Shetty is running his hotel business named as Hotel Devijyoti. The electric meter of this hotel is fixed below the stair case of Devijyoti Chember owned by Shri Ramniwas Paramanand Agrawal. These meters are provided since 1995. Shri Ramniwas Paramanand requested MSEDCL, utility to shift the meter of shri Anni C. Shetty from his premises at plot no. 264 to the Hotel premises at plot no. 263 which is owned by him.

With this grievance of shifting of meter Shri Ramniwas P. Agrawal approached to the Internal Grievance Redressal Cell and filed the grievance on 29/06/2011, but got no relief, on the contrary the utility asked him to produce the approved plan and other authorized documents of his building.

Aggrieved to this shri Ramniwas Agarawal referred an Appeal to this Forum which has registered vide case no. 405. Accordingly the hearing was fixed on 29/10/2011 at 13.00 hrs.

Shri Manoj R. Agarwal was present to represent the case (hereinafter will referred as to the Appellant) he stated that the 3 phase electric meter of Hotel Devijyoti, is fixed in his premises below the stair case along with the other meter of his own building. However, being the hotel premises is separate and its entrance is also different the meter should be shifted to the consumers premises. Due to this 3 phase energy meter of Devijyoti Hotel, there remain always danger to the lives

because of heavy load and frequent sparking at the meter. The Appellant consumer also shows his willingness for payment of necessary shifting charges if any estimated by the utility.

On behalf of utility Shri Nalwad, Dy. Ex. Engineer and Shri Kachare, Executive Engineer and Nodal officer were present to represent the case (hereinafter will referred as to the Respondent).

The Respondent stated that the Appellant should pay the meter shifting charges and also provide the safe place for shifting.

They reiterated that the Appellant should prove the ownership of his own building Devijyoti chamber by producing the approved plan and completion certificate of building construction from the local authority.

Since this meter is provided in the year 1995 and at this stage the Appellant is disputing the provision of hotels meter in his premises, there is internal and personal hitch between hotel owner and the Appellant.

The Respondent shows there agreement for shifting of meter provided, the Appellant should provide the safe place for shifting of meter and should pay the necessary shifting charges.

Forum feels that it will be worth to note that the Respondent utility should take all precautionary measure considering the safety of the public residing in the building as elaborated in the Section 53 of Electricity Act 2003 as given below :

“protecting the public (including the persons engaged in the generation, transmission or distribution or trading) from dangers arising from the generation,

transmission or distribution or trading of electricity, or use of electricity supplied or installation, maintenance or use of any electric line or electrical plant”.

Moreover as regards to the location of the meter which should be in the consumers custody the Respondent should fixed it at suitable placed deemed necessary. The Respondent utility may refer the Section 55 (2) of the Electricity Act 2003 which states that ...

“for proper accounting and audit in the generation, transmission and distribution or trading of electricity, the Authority may direct the installation of meters by a generating company or licensee at such stages of generation, transmission or distribution or trading, as it may deem necessary”.

“The Respondent is therefore directed to shift the meter at suitable place on payment of shifting charges by the Appellant considering all safety measures”.

The case is disposed off with the above order.

No order as to the cost.

Both the parties be formed accordingly.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 19th of December 2011.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman
The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051.

2) If utility is not satisfied with order, it may go in appeal before the Hon. High Court within 60 days from receipt of the order.

DR. ARCHANA SABNIS
MEMBER
CGRF, BHANDUP

S. D. Madake
CHAIRMAN
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP