

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/019/2008

- Applicant : Shri Mahesh Narayan Padwar,
At 543/ B, Khalashi Line,
Gond Mohalla A/672,
Nagpur.
- Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Civil Lines Division, NUZ,
Nagpur.
- Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.
- 2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.
- 3) Shri S.J. Bhargawa
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 05.04.2008)

This grievance application is filed on 17.03.2008 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of excessive billing and in respect of non-appearance of his Security Deposit amount of Rs.1000/- in his energy bills. His grievance also is about illegal temporary disconnection of his power supply which is already restored. He has requested to revise his bills appropriately and to take action against the erring officials and also award compensation to him for the harassment and mental agony caused to the applicant.

Before approaching this Forum, the applicant had raised this grievance before the Jr. Engineer A.F.O. Distribution Center, MSEDCL, Nagpur by his application dated 17.12.2007. This was followed by him by subsequent application dated 16.01.2008. However, no remedy was provided to his grievance and hence, the present grievance application.

The intimation given to the Jr. Engineer as aforesaid is deemed to the intimation given to the Internal Grievance Redressal Cell (in short, the Cell) under the said Regulations and as such, the applicant was not required to approach the Cell before coming to this Forum.

The applicant's case was presented before this Forum by his nominated representative Shri Sunil Jacob while the Dy. E.E. Shri Bhure represented the non-applicant Company.

The matter was heard on 04.04.2008.

The applicant's representative submitted that new meter was installed at the applicant's premises on 28.11.2007. However, this meter became faulty and because of the defect developed in the meter, the applicant received energy bill of 1397 units in the billing month of December, 2007.

The applicant thus received an excessive energy bill of Rs.9430/- which the applicant was unable to pay. Thereupon, the applicant filed his complaint application on 17.12.2007 to the concerned Jr. Engineer. However, no remedy was provided to the applicant's grievance though a similar subsequent complaint application was submitted by him in January 2008. The staff of the non-applicant had visited the applicant's premises on 17.03.2008, 19.03.2008, 22.03.2008, 26.03.2008, 27.03.2008 and 01.04.2008 for the purpose of disconnecting the applicant's power supply on the erroneous ground of non-payment of erroneous energy bill amounts. A notice dated 05.03.2008 of disconnection was also issued under Section 56 (1) of the Electricity Act, 2003 by the non-applicant asking the applicant to make payment of arrear amount of Rs.8370.73/- within 15 days i.e. on or before 19.03.2008 failing which his power supply would be disconnected. This notice was received by the applicant's on 10.03.2008. The applicant's representative strongly submitted that 15 clear days' notice as provided in Section 56 (1) was not given to the applicant because the notice dated 05.03.2008 was received by the applicant on 10.03.2008 and the last date of payment of arrear amount has been mentioned in the notice as 19.03.2008. He added that this grievance application is filed on 17.03.2008 before this Forum and during its pendency, the staff of the non-applicant Company has been repeatedly threatening disconnection of power

supply on untenable grounds. He has in particular mentioned name of Jr. Engineer Shri Dabhare who, according to him, is behind all these unlawful actions. He vehemently stated that the erring officials of MSEDCL including Jr. Engineer Shri Dabhare in particular should be punished appropriately for the deliberate harassment caused to the applicant.

The applicant's representative continued to submit that the applicant's security deposit amount of Rs.1000/- deposited by him at the time of sanctioning of a new connection is also not reflected in the applicant's energy bills. He, therefore, requested that the non-applicant be directed to indicate this security deposit amount of Rs.1000/- in the applicant's energy bills and interest on this amount should also be awarded and shown in the bills.

He has also demanded compensation towards the harassment caused to the applicant.

Commenting upon the parawise report submitted by the non-applicant which is on record, the applicant's representative expressed satisfaction over revision of his disputed energy bill amount to Rs.638/- However, he reiterated that the Forum may consider the other points raised by him in this grievance application.

The non-applicant, on his part, submitted his parawise report on 02.04.2008 in which it has been stated that the applicant's new meter, being meter no. 106359, which was provided on 29.11.2007 was found to be defective and as such, the applicant's energy bills were revised from Rs.8370.73/- to Rs.637.87. His submission is that the applicant now needs to pay amount of Rs.637.87 only up to the billing month of March, 2008.

As regards the security deposit amount not being shown in the energy bills, he submitted that effect of security deposit amount of Rs.1000/- will be given in the applicant's energy bills with retrospective effect.

As regards the disconnection notice dated 05.03.2008, he admitted that this notice should not have been issued since the applicant's disputed energy bills were already revised. The previous bill amount of Rs.8370.73 is now reduced to Rs. 637=87.

As regards the applicant's complaint of harassment, he assured that concerned staff would be cautioned appropriately.

In this case, the first grievance of the applicant is in respect of his excessive and erroneous energy bill amounts. In this respect, it is now an admitted position that the non-applicant has revised this bill to the satisfaction of the applicant. Hence, this grievance stands redressed.

The non-applicant has also assured that security deposit amount of Rs.1000/- will be shown in the applicant's energy bills hereafter. In this respect, we direct that the non-applicant shall also award interest on this security deposit amount of Rs.1000/- as requested by the applicant.

The third grievance is about illegal disconnection of the applicant's power supply on 01.04.2008 for few hours. This grievance is also found to be genuine in as much as his power supply was indeed disconnected on 01.04.2008 for a few hours illegally. The non-applicant's notice dated 05.03.2008 regarding power disconnection is also clearly bad in law in as much as the non-applicant himself has admitted that this notice ought not to have been issued because the

applicant's bill was already revised earlier on 01.03.2008. There is also a reason to believe in the specific complaint made by the applicant that the non-applicant's staff had repeatedly visited the applicant's premises on several occasions during the pendency of this case in the month of March 2008 and threatened his power disconnection. As a matter of fact, his power supply was also actually disconnected on 01.04.2008 for few hours. This entire action on the part of the concerned staff of the non-applicant Company is indeed improper, unjust and illegal. This goes to show that avoidable hardship was deliberately caused to the applicant when as a matter of fact there was no fault attributable to the applicant.

We are, therefore, convinced that this is a fit case for awarding some compensation to the applicant. Hence, we direct that compensation of Rs.1000/- (Rs. One Thousand only) should be awarded to the applicant.

In view of the applicant's representative's specific and persistent request of taking action against the erring officials, we direct the Chief Engineer NUZ, MSEDCL, Nagpur to take suitable action in this matter as deemed fit by him.

In the result, the applicant's grievance application is allowed and it stands disposed off in terms of this order.

The non-applicant shall carryout this order and report compliance thereof to this Forum on or before 30.04.2008.

Sd/-

Sd/-

Sd/-

(S.J. Bhargawa) **(Smt. Gauri Chandrayan)** **(S.D. Jahagirdar)**
Member-Secretary MEMBER CHAIRMAN

CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.