

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

Case No. CGRF(NUZ)/062/2008

Applicant : Shri Mahadeo Domaji Lonare
Plot No. 50, Laghuvetan Colony,
Sarkari Karmchari Society,
Kamptee Road,
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
Civil Line Division, NUZ,
Nagpur.

Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.

2) Shri S.F. Lanjewar
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 08.12.2008)

This grievance application is submitted under Regulation 6.5 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 illegal notice of his power disconnection and in respect of excessive energy bill for the month of October, 2008 generated by a defective meter.

Before approaching this Forum, the applicant has filed his grievance on the same subject matter before the Internal Grievance Redressal Cell (in short, the Cell) on 17.11.2008. However, during the pendency of the case before the Cell, the non-applicant issued a power disconnection notice, being notice dated 29.11.2008 asking the applicant to make payment of arrear amount of Rs. 9032=99 on or before 10.12.2008 failing his power supply will be disconnected. The applicant has filed this grievance against this power disconnection notice and also agitating that excessive billing has been done.

Since requirement of Regulation 6.5 of the said Regulations is fulfilled in this case, the present grievance is entertained by this Forum for consideration.

The matter was heard on 08.12.2008.

The applicant submitted that by his complaint dated 17.11.2008 addressed to the Superintending Engineer, Nagpur Urban Circle, he has represented that his meter is defective which resulted in generating excessive billing in the month of October, 2008. He requested that so far, his defective meter has not been changed nor it is tested for its correctness by the non-applicant. His submission is that the power disconnection notice dated 29.11.2008 is unjust, improper and illegal. He requested that his meter may be tested and his disputed energy bill revised appropriately as per the result of testing. He also requested that the power disconnection notice be quashed.

The non-applicant has not submitted on record any written submission though he was asked to that. The Dy. E.E. Bhure who was present on behalf of the non-applicant Company orally submitted that the applicant's meter in question shall be tested after giving advance intimation to that effect to the applicant and a new meter shall be installed in place of the old meter.

When brought to his notice, he admitted that the power disconnection notice dated 29.11.2008 is not legal since 15 clear days' period is not given to the applicant in terms of Section 56 (1) of the Electricity Act, 2003.

In the first place, this Forum holds that the power disconnection notice dated 29.11.2008 is ab-initio illegal and void because 15 clear days' period for making payment of the outstanding dues is not given to the applicant. Hence, the power disconnection notice in question stands quashed.

As regards the applicant's complaint about his meter being defective, and also in respect of excessive energy bill for the month of October, 2008, this Forum directs the non-applicant to get his meter tested in the testing laboratory of Nagpur Urban Zone in the presence of the applicant by giving him advance notice about the testing. The applicant's meter in question shall also be replaced by a new meter immediately and his meter which is currently in position at the applicant's premises shall be tested in the testing laboratory as aforesaid.

The non-applicant shall take further action as per the result of testing so far as the applicant's complaint about excessive billing for the month of October, 2008 is concerned.

The applicant's grievance is thus allowed and the same stands disposed of in terms of this order.

The non-applicant shall carry out this order and report compliance to this Forum on or before 31.12.2008.

Sd/-
(S.F. Lanjewar)
Member-Secretary

Sd/-
(S.D. Jahagirdar)
CHAIRMAN

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