

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

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

Date:

Case No. 255

Hearing Dt. 05/02/2009

In the matter of wrong arrears charged and restoration of supply.

Shri Keshavlal R. Shah

- Applicant

Vs.

MSEDCL, Thane

- Opponent

Present during the hearing

A - On behalf of CGRF, Bhandup

- 1) Shri S.L. Kulkarni, Chairman, CGRF, Bhandup.
- 2) Shri R.M. Chavan, Member Secretary, CGRF, Bhandup.
- 3) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

B - On behalf of Consumer

Consumer was absent

C - On behalf of Utility

- 1) Shri Ghaitadak, Dy. Ex. Engr., Gadkari S/Divn., Thane
- 2) Smt. Bhosale, A.A., Gadkari S/Divn., Thane.

Preamble

Shri Keshavlal R. Shah, 602, Mahadeo Towers, LBS Marg, Hariniwas, Naupada, Thane having single phase residential electric connection under consumer no. 000019228738 filed representation directly to the Forum for interim order against illegal disconnection of power supply by utility i.e. MSEDCL vide his letter dtd. 21st Jan-2009 and grievance is registered on dtd, 22/01/09 under case no. 255 of 2009.

The hearing was fixed on 05/02/2009 at 14.00 hrs. The representatives of utility were present but consumer or his representative were not present hence on the available record the hearing was proceeded.

Utility Say :

From the utility side Shri Ghaitadak, Dy. Ex. Engineer and Smt. Bhosale, Asstt. Accountant of Gadkari sub-division stated as under :-

One L.T. residential consumer Shri Vijaya Shamrao Sahahne, bearing consumer no. 0000222248/6 at Sukur Chawl, Room No. 4, Agra Road, Old Vaity Wadi, Thane was wrongly awarded credit of Rs. 4756.54 + 1000 in bill for the month of July-2007 which was pointed out during Audit Inspection by the Auditor and were instructed to debit the same. Accordingly Asstt. Accountant Smt. Bhosale instructed to Mr. Kurtadkar, billing staff to feed debit in the bill of Shri Vihaya Shamrao Shahane but was feeded wrongly in the bill of consumer Shri Keshavlal R. Shah in the month of Oct-2008 and that too Rs. 6986.00 + 5556.54 and hence consumer appears in list of arrears and leads to power cut.

Observations :

Forum feels that this power cut is purely due to wrongly feeded data and this appears sheer negligence of bill staff, which could cause inconvenience to the consumer, hence utility should immediately restore the supply of consumer without charging cost for reconnection. The wrongly debited amount should be withdrawn alongwith DPC and interest charged to the consumer in immediate next billing cycle and should be informed to the consumer with all relevant details. The representative of utility could not clarify; why the amount credited to

consumer Shri V.S. Shahane is differed with amount debited to Shri Keshavalal Shah. Utility also fails to reply why supply was disconnected without issue of notice. The utility when questioned about issuance of prior statutory notice of 15 days before disconnection of energy supply, could not give any concrete evidence about the same. This has also been seen clearly from it's letter dtd. 02/03/2009. Consumer has also confirmed the disconnection of the supply without any prior notice.

Since utility had failed to observed the statutory formalities such as issuance of statutory notice of disconnection to the consumer, it is liable for action in the interest of justice. Hence there appears a need to compensate the consumer for the default committed by utility.

However utility should take note that such incidence should not happen and proper guidelines should be given to the staff working on field, otherwise will invite for stern action.

ORDER

- 1) Utility should restore consumer' supply with immediate effect without charging cost for restoration of supply.
- 2) Amount wrongly debited in bill of applicant should be credited alongwith DPC & interest thereon.
- 3) The utility in view of the default committed by it should compensate to the consumer by paying Rs. 1000/- to him.
- 4) No order as to cost
- 5) Compliance should be submitted within month.

Both the parties be informed.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 2nd of March 2009.

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.

MRS. M.P. DATAR
MEMBER
CGRF, BHANDUP

S.L. KULKARNI
CHAIRMAN
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP