



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph: – 2210707 & 2328283 Ext: - 122

**IN THE MATTER OF GRIEVANCE NO.K/E/090/00103 OF 07-08 OF
THE SECRETARY WATER PUMP MANOR EGF BUILDING LODHA
HEAVEN DOMBIVALI (E) REGISTERED WITH CONSUMER
GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT DISCONNECTION OF SUPPLY WITHOUT NOTICE.**

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The Secretary Water pump (Here in after
Manor E, G, F, Building referred to
Lodha Heaven, Dombivli (E) as consumer)
Nilje.421201.

Versus

Maharashtra State Electricity Distribution (Here in after
Company Limited through its Assistant referred to
Engineer Sub-Dn. III, Kalyan (E) as licensee)

- 1) Consumer Grievance Redressal Forum has been established under regulation of “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conformed on it by section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).
- 2) The consumer is a L.T. consumer of the licensee connected to their 415-volt network. Consumer is billed as per residential tariff. The consumer i.e. The Secretary Water Pump registered grievance with the forum on dated 15/05/2007.
The details are as follows: -
Name of the consumer: The Secretary Water Pump
Address: - As above
Consumer No: - 020490013548.
Reason of dispute: - Disconnection of supply without any notice
- 3) The batch of papers containing above grievance was sent by Forum vide letter No.0970 dated 15/05/07. The letter was replied by licensee vide letter dated 01/06/07.
- 4) All three members of the forum heard both the parties on 07/06/07 Shri Babasaheb B Waghmare, Shri Vijay Jagtap consumer’s representatives and Shri P. K. Taiwade, Nodal Officer, Shri P.M. Hundekari Assistant Engineer, Shri M. A. Atre Assistant Engineer, representatives of the licensee attended hearing on 04/06/07.

5) Shri Waghmare Secretary of the society, where meter of water pump is installed, approached Forum vide letter dated 11/05/07. He submitted that the compliance of Forum's earlier decision K/E/72/82 of 12/02/07 about wrong billing of the meter of water pump was in progress by licensee & on 10/05/07 licensee disconnected supply of water pump without any notice. He demanded Rs 50000/- as compensation for this act of licensee.

6) The procedure for submitting grievance application to Forum as per Regulation 6.4 & 6.5 of "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006" is as follows.

"In the event that a consumer is not satisfied with the remedy provided by the Internal Grievance Redressal Cell to his Grievance within a period of two (2) months from the date of intimation or where no remedy has been provided within such period, the consumer may submit the Grievance to the Forum. Notwithstanding this provision, a Grievance can be entertained before the expiry of the period specified therein, if the consumer satisfies the Forum that *prima facie* the Distribution Licensee has threatened or is likely to remove or disconnect the electricity connection, and has or is likely to contravene any of the provisions of the Act or any rules and regulations made there under or any order of the Commission, *provided that*, the Forum or Electricity Ombudsman, as the case may be, has jurisdiction on such matters.

Provided further that no such Grievance shall be entertained, before the expiry of the period specified in Regulation 6.4, unless the Forum records its reasons for the same.

Forum in the present case noticed that the supply of the water pump meter was disconnected by licensee & about 70 families were likely to suffer without water. Forum, therefore, decided to register grievance & issued telephonic instruction to licensee to restore supply at once. The licensee & consumer confirmed of having restored electric supply on 11/05/07. Shri Jagtap Chairman on behalf of Secretary Shri Waghmare, thereafter, on 14/05/07 registered grievance with Forum.

- 7) Shri Hundekari vide letter dated 1/06/07 denied issuance of order of disconnection of supply of consumer to any of his field staff. He submitted that the work of cutting of branches of tree touching LT line was in progress on that day. He further submitted that on receipt of call from Forum on 11/06/07, he was surprised & issued order to his line staff to immediately reconnect the supply if it had been found disconnected. The supply was restored on same day. During hearing on 07/06/07, Shri Hundekari promised to take action against field staff who had done this act, if pointed out by consumer.
- 8) Forum observed that consumer neither approached licensee nor fuse call centre for this alleged act of licensee & instead rushed to Forum for relief. The Forum, although provided immediate relief by ordering reconnection to avoid suffering of families without water but, is of the opinion that action of licensee or fuse call centre, on approach of consumer, would have brought the fact of entire act on the surface.

The possibility of mischief played by field staff, therefore, cannot be ruled out.

- 9) It was then decided that consumer would approach licensee with name or identity of the field staff who had done this so called act of disconnection of supply within 15 days from the date hereof & licensee would take suitable action against the concerned field staff within 60 days from the date hereof. The demand of consumer of granting compensation of Rs 50000/- is completely disproved and therefore no compensation is payable on this account. There is also no basis for awarding any compensation. The representation is disposed of with the above findings. Compliance of this decision should be intimated by licensee to Forum within 60 days from the date hereof.
- 10) Consumer can file appeal against this decision with the Ombudsman at the following address.

Maharashtra Electricity Regulatory Commission, 606/608,
Keshav Building, Bandra Kurla Complex, Mumbai 51

Appeal can be filed within 60 days from the date of this decision.

Date: - 15/06/07

(Sau V.V.Kelkar)

(I.Q.Najam)

Member
CGRF Kalyan

Chair person
CGRF Kalyan

(D B Nitnaware)
Member Secretary
CGRF Kalyan