



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in

IN THE MATTER OF GRIEVANCE NO. K/E/582/690 OF 2011-2012 OF
DR. SHRI VIJAY JAYRAMJI WASNIK, ULHASNAGAR REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT EXCESSIVE ENERGY BILL .

Dr. Shri Vijay Jayramji Wasnik
Opp. A Block, 298
Daha Chawl Road
Ulhasnagar – 421 004

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer Ulhasnagar
Sub-Division No. IV

(Here-in-after
referred
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under "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 conferred 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. The Consumer is billed as per residential tariff. Consumer registered grievance with the Forum on 15/02/2012 for Excessive Energy Bill.

The details are as follows :

Name of the consumer :- Dr. Shri Vijay Jayramji Wasnik

Address: - As given in the title

Consumer No :- 021514140801

Reason of dispute : Excessive Energy Bill

- 3) The batch of papers containing above grievance was sent by Forum vide letter No EE/CGRF/Kalyan/0144 dated 15/02/2012 to Nodal Officer of licensee. The licensee filed reply vide letter No. SE/KC-II/Tech/1014, dated 05/03/2012 and DYEE/ULH-4/T/164, dated 13/03/2012.
- 4) Hearing was held on 06/03/2012 @ 16.00 hrs. The Members of the Forum heard both the parties in the meeting hall of the Forum's office. Dr. Shri Vijay Wasnik Consumer & Shri Kale Nodal Officer, Shri Kashal, Asstt. Engr., Shri G. T. Pachapohe, Dy. Ex. Engr., Sanjeevani Jadhav Jr. Engineer representatives of the licensee attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record.

- 5) Being aggrieved by the decision of I.G.R. Cell dated 07/01/2012 present representation is made before this Forum.
- 6) As per complainant in his residential premises he is running a clinic but Damini Squad after inspection of the premises on 11/10/2011 falsely submitted the report alleging that the meter which was given to residential area is being used for clinic / hospital purpose. On this basis of this report energy bill of Rs. 10,180/- under Section 126 of the Electricity Act 2003 was issued to the complainant. It also appears that the said bill was discharged by the complainant but further raised his grievance initially before I.G.R. Cell disputing the report of Damini Squad that he is running clinic / hospital at his residence. As per his defence there is no any bed or indoor patient facility at his clinic, therefore he approached to I.G.R. Cell to quash the report of Damini Squad and whatever bill was issued at the rate of commercial should be set aside.
- 7) I.G.R. Cell in view of Regulation No. 6.8 (a) of Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 has no jurisdiction to entertain the complaint and rejected the grievance of the complainant with a direction to pay the bill.
- 8) Now the main question which was discussed was that whether the complainant is running a clinic or hospital in his premises. During the hearing a rough sketch was shown by the complainant which disclosed a separate entry to the clinic and it is not a part and parcel of residential area. As a matter of fact the separate connection was not taken by complainant

for his clinic. The original connection was given only for the residential area of the complainant. No any permission was sought by complainant for extending the connection from the meter supplied to the residential area for his clinic. Therefore to our mind the case governed by Sub-Clause 5 of Clause 6 of Section 126 of Electricity Act 2003. It says the unauthorized use of electricity means for the premises or areas other than those for which the supply of electricity was authorized. Damini Squad found that without any permission or brining to the notice of the licensee the electric connection got extended by complainant to his clinic which is not a part and parcel of his residential house. So to our mind the case is governed by Section 126 of Electricity Act 2003 and Regulation No. 6.8 excluded the jurisdiction of this Forum. Hence the order :

OPERATIVE ORDER

- 1) The grievance application is dismissed.
- 2) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.

Date : 27/03/2012

(Mrs. S.A. Jamdar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.K. Chaudhari)
Chairperson
CGRF Kalyan