



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/069/0079 OF 06-07 OF M/S
HARSH METAL REGISTERED WITH CONSUMER GRIEVANCE
REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT ISSUING AN
ORDER OF RECONNECTING ELECTRIC SUPPLY.

M/s Harsh Metal

(Here in after

Gala No.3, Sangita Industries Estate

referred to

Valiv, Vasai (E), Thane 401208.

as consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Deputy
Executive Engineer, Vasai Road, Sub-Dn.
Vasai (E).

(Here in after
referred to
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 industrial tariff. The consumer M/s. Harsh Metal registered grievance with the forum on dated 02/11/2006.

The details are as follows: -

Name of the consumer: M/s Harsh Metal.

Address: - As above

Consumer No: - 001840855739.

Reason of dispute: - Disconnection of electric supply by licensee without issuing any notice of disconnection as required as per section 56 of Electricity Act, 2003 (EA, 2003).

3) The batch of papers containing above grievance was sent by forum vide letter No.0724 dated 02/11/2006 to Nodal Officer of licensee. The letter, however, remained unreplied.

4) All three members of the forum heard both the parties on 18/11/2006 & Shri B.V. Bhagat and Shri Ashwin Treasurer representatives of consumer and Shri A. M. Ramekar Executive Engineer, Shri Dilipkumar

V. Mehetre Deputy Executive Engineer, representatives of licensee attended hearing.

- 5) Authorised signatory of consumer made submission in his application that electric supply of consumer (factory) was disconnected on 18th October 2006 without giving any notice of disconnection as required to be given as per section 56 of EA, 2003. He made further submission to issue order directing licensee to reconnect electric supply of factory and permit him time of two months to file other grievances in detail before the forum. He also demanded compensation at Rs. 10,000/- per day or part thereof of cutting of the supply without notice.
- 6) Forum on receipt of application dated 30/09/2006 (application received on 1/11/2006 by the forum and registered on 2/11/2006) issued direction to licensee vide letter No. KLNZ/CGRF/Kalyan /722 dated 03/11/2006 to reconnect supply within 48 hours from the date of receipt of letter. Licensee accordingly reconnected supply of consumer on 03/11/2006 at 12.30 p.m. as informed by licensee to the forum vide letter No 7038 dated 06/11/2006.
- 7) Authorised signatory, however, was unaware of reconnection of supply till 7/11/2006 as factory was closed on 3/11/2006.
- 8) Authorised signatory vide letter dated 08/11/2006 made further submission to forum to issue suitable direction to licensee against the threat of disconnection of supply for non-payment of bill of Rs1,04,666/- sent to consumer by licensee on or before 13/11/2006.
- 9) Forum vide letter No. KLNZ/CGRF/Kalyan/0732 dated 10/11/2006 issued direction to licensee to desist from disconnection of supply against the non-payment of disputed amount.

- 10) Forum after discussing the matter with Treasurer decided to grant one-month time to consumer to file fresh grievance for Redressal to which he agreed.
- 11) National Consumer Dispute Redressal Commission New Delhi in Revision Petition No 604 of 2003 dated 29/09/03 in a petition of Chandrakant Mahadeo Kadam against Assistant Engineer MSEB Atpadi & others has held that compensation need to be given to consumer for disconnecting electric supply for no reason. In the present case consumer of licensee was paying his bills regularly and his electric connection was disconnected on 18/10/2006 without serving notice of disconnection. Consumer approached licensee but with no result. Licensee could not produce any proof (of disconnecting electric supply of consumer) of issuing notice of disconnection. Licensee as per forum's order mentioned in para 6 reconnected the consumer's supply on 03/11/06. Thus consumer remained disconnected for 16 days. No doubt there was gross deficiency in service & the negligent staff is accountable for the harassment done to the consumer. We take serious view of the default committed by the officers of licensee. It is certainly not a good situation if electric supply remains disconnected for 16 days without any reason. We can put ourselves in the position of a consumer & realise as to how he might have suffered. In our view there is clear mis-carriage of justice and we would grant the compensation of Rs 5000/- to consumer.

O-R-D-E-R

1. The licensee should pay compensation of Rs 5000/- (five thousand only) to consumer within 90 days from the date of this order.

2. The directions issued by forum to licensee vide paras 6 & 9 mentioned above stands withdrawn after 31/12/2006.
3. 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 order.

4. Consumer, as per section 142 of Indian Electricity Act 2003, can approach Maharashtra Electricity Regulatory Commission at the address

Maharashtra Electricity Regulatory Commission,
13th floor, World Trade Centre, Cuffe Parade, Colaba, 400005.

for non-compliance, part compliance or delay in compliance of this decision issued under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressed Forum & Ombudsman) Regulation 2006".

Date: - 18/11/06

(Sau V.V.Kelkar)
Member
CGRF Kalyan

(I.Q.Najam)
Chair person
CGRF Kalyan

(D B Nitawre)
Member Secretary
CGRF Kalyan