

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

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**Case No. CGRF(NUZ)/034/2009**

Applicant : Shri Nalanda Kisan Manohar  
At Juna Jaripatka, Near Kabrastan,  
NAGPUR.

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

Quorum Present :1) Shri S.F. Lanjewar  
Executive Engineer &  
Member Secretary,  
Consumer Grievance Redressal  
Forum, Nagpur Urban Zone,  
Nagpur.

2) Smt. Gouri Chandrayan,  
Member,  
Consumer Grievance Redressal  
Forum,  
Nagpur Urban Zone,  
Nagpur.

**(ORDER Passed on 20.07.2009)**

The present grievance application has been filed on dated 03.06.2009 under Regulation 6.4 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The grievance of the applicant is in respect of P.D. arrears amount of Rs. 38,719.83 has to be withdrawn.

Before approaching this Forum, the applicant had filed his grievance application on the same subject matter on 16.03.2009 under the said Regulations before the Internal Grievance Redressal Cell (in short, the Cell). However, no remedy was provided in this regard and hence, the present grievance application.

The matter was heard on 23.06.2009 & 09.07.2009.

The applicant's consumer no. is 410013450793/2 and he is a consumer of MSEDCL company since 2001. He has no arrears outstanding in his name. The supply was disconnected without any notice. After enquiry it was replied that Rs.38,719=86 are outstanding against consumer no. 410010991751/2.

The non-applicant had submitted his written submission vide his letter no. 527 dated 24.06.2009. He clarified the things that the consumer no. 41001091751/2 in the name of Shri Kisan Manohar old Jaripatka near kabrastan, Nagpur is having P.D. arrears of Rs. 38,716.86 and that late Shri Kisan Manohar had died. Shri Nalanda Kisan Manohar is a legal successor and the connection No. 410010991751/2 is on the same place where P.D. arrears are outstanding. As per circular no. 83/P/R, they also clarified that there was a (Navprakash Yojana) for P.D. consumers and the last date was 30 October. The letter was issued to the consumer. It was clearly mentioned that if he pays Rs.5000/-, then the balance amount was withdrawn. The applicant was intimated in which he had given a consent for payment. As per above circular he had to pay of Rs.5000/- &

balance amount will be withdrawn. As per Section 56 (2) of the Electricity Act, 2003, 15 days notice was also served to him. The applicant was made well aware from time to time by non-applicant even though he did not pay the P.D. arrears.

The supply of Electricity to Shri Nalanda Kisan Manohar consumer no. 410013450793/2 was disconnected which was on the same location where P.D. arrears of Rs. 38,716.86/- in outstanding.

The non-applicant also added in his reply that as per Company rules & regulations, the connection cannot be issued on the same place where arrears are outstanding.

The applicant had argued that he will not agree with the old arrears. The connection no. 410013450763/2 is in my name & there is no outstanding. He also added that he did not know the consumer no. 410010991751/2 in whose name & how much the arrears in outstanding.

The applicant lastly prayed that the P.D. arrears should be withdraw and no further disconnection be done by the non-applicant.

The non-applicant had argued that the consumer who is in the P.D. arrears, the supply should not be given as per MSEDCL rule & the supply should not be continued in such place.

The place where P.D. arrears are outstanding, in such place the supply should not be given & it should not be continued as per MSEDCL rules.

He also clarified that the applicant had given a chance as per provision of Navprakash Yojana to pay of Rs. 5000/-. The remaining amount will be withdrawn. The applicant would have pay the amount of Rs. 5000/-. The balance amount will be withdrawn. But the applicant

did not pay the same. Hence now he is not liable for the benefit of the “Navaprakash Yojana”.

After hearing of both the sides, the Forum had come to the decision.

The applicant had a connection in the same place where there was a connection no. 410010991751 and the arrears of Rs. 38,719.86 are outstanding against the same place. The provision of the Electricity Act 2003, Section 56 (2) is applicable in this case.

The applicant should pay two years bill of P.D. arrears payment.

The non-applicant shall carryout this order and report compliance thereof to this Forum on or before 31.08.2009.

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

Sd/-  
**(Smt. Gauri Chandrayan)**  
MEMBER

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

Member-Secretary  
Consumer Grievance Redressal Forum,  
Maharashtra State Electricity Distribution Co.Ltd.,  
Nagpur Urban Zone, NAGPUR.