

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

Case No. CGRF(NUZ)/156 /2006

- Applicant : Shri Pratap Jaikishan Kanjwani
At C/o Plot No. 436
Kalmana, Nagpur.
- Non-applicant : The Nodal Officer-
Executive Engineer,
Gandhibag Division, NUZ,
Nagpur representing the MSEDCL.
- Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.
- 2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.
- 3) Shri S.J. Bhargawa
Executive Engineer &
Member Secretary,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 30.10.2006)

The present grievance application has been filed on 10.10.2006 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 falsely implicating him in a case of theft of electricity and in respect of illegal disconnection of his power supply on the erroneous ground of theft of electricity..

Before approaching this Forum, the applicant had filed his complaint on the same subject-matter of the grievance before the Internal Grievance Redressal Cell (in short the Cell) on 07.08.2006 under the said Regulations. No reply, whatsoever, was given by the Cell to the applicant in response to his complaint application within the prescribed period of two months. Hence, the present grievance application.

The applicant is an I.P. consumer of the non-applicant Company having consumer no. 410014147989. A theft of electricity was detected in this connection on 04.08.2006 by the Jr. Engineer, Subhannagar, MSEDCL, Vardhmannagar S/Stn., Nagpur. The applicant is denying that there was theft of electricity in his connection. He also states that false documents were prepared by the non-applicant's officials with a view to deliberately harass him. It is also the contention of the applicant that his power supply was disconnected on 10.08.2006 at 2=00 pm and not on 04.08.2006 as stated by the non-applicant. It is also the applicant's contention that he had made a complaint in this respect on 10.08.2006 before the Superintending Engineer, MSEDCL, NUC, Nagpur disputing therein commission of theft of electricity in the applicant's connection.

The matter was heard by us on 30.10.2006.

The applicant's case was presented before us by one Shri J.P. Kanjwani as his nominated representative.

The Nodal Officer, Shri Dindawkar, Exe. Engineer, MSEDCL, NUZ, Nagpur presented the case of the non-applicant Company.

The applicant's representative strongly contended that no theft of electricity was in fact committed in the applicant's I.P. connection. He added that false documents were prepared in order to deliberately implicate the applicant in a wrong charge of theft of electricity. He has also disputed various documents prepared by the non-applicant in this connection. He denied that any panchnama was ever drawn at the site on 04.08.2006 as stated by the non-applicant. He further contended that the applicant's power supply was disconnected illegally. According to him, the non-applicant falsely implicated the applicant in the charge of theft of electricity with a revengeful attitude. He also disputed the theft assessment worked out against him.

The non-applicant, on his part, has produced documents like F.I.R., being FIR No. 3173 dated 07.08.2006, lodged with the Police mentioning therein commission of offence of theft of electricity under section 135 and 138 of the Electricity Act, 2003, spot inspection report dated 04.08.2006 prepared by the non-applicant's officials in the context of detection of theft of electricity, seizer panchnama dated 04.08.2006 duly signed by two independent panchas etc.

The documents produced on record by the non-applicant go to show prima-facie that there was theft of electricity committed in the applicant's I.P. connection on 04.08.2006. This Forum is, therefore, prima-facie of the view that the present grievance falls

within the purview of offences and penalties as provided under Sections 135 and 139 of the Electricity Act, 2003. Hence, in terms of Regulations, 6.8 of the said Regulations, the Forum has no jurisdiction to entertain such a grievance. So, whatever, may be the contentions of the applicant's representative, the present grievance application cannot be admitted for want of jurisdiction.

The applicant may prove his innocence in the Court of Law.

In the result, the present grievance application stands disposed of as prima-facie not admissible.

Sd/-	Sd/-	Sd/-
(S.J. Bhargawa)	(Smt. Gauri Chandrayan)	(S.D. Jahagirdar)
Member-Secretary	MEMBER	CHAIRMAN
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.