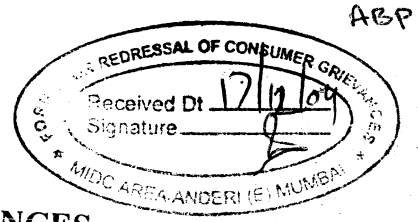


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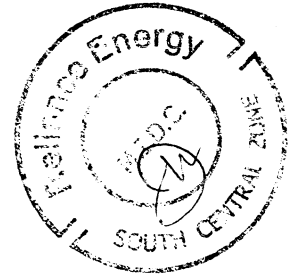
SCHEDULE 'A'



APPLICATION FOR REDRESSAL OF GRIEVANCES

Date: 17/12/2004.

1. **NAME OF THE CONSUMER** : **GULAM SULEMAN SHAIKH**
2. **FULL ADDRESS OF THE CONSUMER** : **GULAM SULEMAN SHAIKH,**
Room No.3, Kasim Chawl,
Marol Market,
Bhandar Wada,
Marol Church Road
Andheri (East)
- PIN CODE** : Mumbai-400 059.
- PHONE NUMBER** : 28311 545 (C/o. Walter Ncario)
3. **PARTICULARS OF CONNECTION** :
- CONSUMER NUMBER** : NIL
- APPLICATION FOR NEW** :
- ELECTRICAL CONNECTION:** No. AN 2004 / 04979
Dated 05.11.2004.
- NATURE OF CONNECTION APPLIED FOR** : **0.5 KW LOAD**
: **Requisitioned for Residential purpose**



11 7 DEC 2004

4. **DETAILS OF GRIEVANCES:**

- (1) The applicant **Gulam Suleman Shaikh** age about 38 years, old, Muslim, Occupation Private service, hereinftr termed as **Applicant and or Gulam Shaikh**, was in year 1996 residing at his native place **Tarapur, Taluka Palghar, District, Thane, on the boarder of Maharashtra Rajya**, who at that

time was **having no job**, therefore, the applicant left Tarapur and settled here in **Andheri Bhandar wada at Room No.3 of Kasim Chawl.**

2. In the beginning there was no job in applicant's hands even when he has come to Mumbai, and was in very miserable state. But in Saki Naka, Applicant learned winding Electricity Tube chokes on apprentice basis for a few years. Now applicant learnt the job and was taken in service by the private firm. Up to this date applicant was using Kerosene Chimani for the purpose of lights in his room No.3, and or at times some neighbours allowed him to use light for few days that also for Rs. 300 to Rs. 400 per 40 watts bulb (!) for period of one month, so to get rid of this all, the applicant fetched a loan at heavy interest for getting electricity meter for his Room No.3 Kasim Chawl and therefore applicant registered the application at the office of distribution licence namely: **The Reliance Energy Ltd., South Central Zone, M.I.D.C., Andheri (East), Mumbai-400 093**, on date **05/11/2004** under registration number **AN 2004 / 04979** for lighting his residential premises.
- (3) On getting application **Distribution licensee the Reliance Energy Ltd.** company and its concerned officers were and are under **Section 42 (1) and 43 (1) of the Electricity Act, 2003**, legally bound to connect electricity by fixing a meter to the Room No.3 of Kasim Chawl within the period of **ONE MONTH** after receipt of the application that is to say on or before the date **04/12/2004** but even on this date **17/12/2004** that is to say **13 days** after the due date **04.12.2004**, they have actually fixed no meter and commenced no supply at the said Room No.3 of Kasim Chawl and therefore they were and

are disregarding and disobeying the directions of Law stated in Sections 42 (1) and 43 (1) of the Electricity Act, 2003 and thereby they are liable to pay penalty Rs. 1000.00 per day on each day of default under Sections 43 (3) of the said Act.

As such on this date 17.12.2004 Reliance Energy Ltd. Company and its concerned officers are liable to pay Rs. 13,000.00 by way of penalty under the said sections and they shall be liable in future also to pay like penalty of Rs. 1000.00 per day of default up to the date they actually do not fix a meter and commence supply at Room No.3 at Kasim Chawl in accordance with requisition No. AN 2004 / 04979 registered on date 05.11.2004.

- (4) On date 5th Nov. 2004, the Reliance Energy Ltd. and its concerned officers prepared an estimate No. AN2004 / 04979 for Rs. 1570.00 (one thousand five hundred seventy only) for laying service line giving tapping connection, and against security deposit under reference No. 100146 which the applicant paid in cash on date 20.11.2004. (See copies of Estimate and receipt attached).

The applicant further states that since the estimate prepared and recovered from the applicant was and is not confirming to the provisions of Sections 46 and 47 of The electricity Act 2003, the same shall be revised and excess amount paid may be refunded on and after fixing meter and commencing supply at Room No.3 of Kaism Chawl.

- (5) On date 10/12/2004 the applicant issued a notice to the Reliance Energy Ltd. and its concerned officers, requiring them to explain delay in providing meter and commencing supply at Room No.3, Kasim Chawl but to the said notice the

supplier and its officers replied on date 11.12.2004 asking the undersigned to settle Electricity Bill of 99 months old for Rs. 12,582.00 consumed by Kasam Suleman Shaikh, residing at 01, Kasam House, Marol Church Road, Bhandarwada, Andheri (East), Mumbai-400 059.

To the above letter immediate reply was given on the same date 11.12.2004 requiring the Reliance Energy Ltd. and its officers to read Section 56 (2) of the Electricity Act, 2003 and brought to their notice that under the provisions of the said section the **Distributing Licensee The Reliance Energy Ltd. and its officers were and are strictly prohibited to recover any arrears from any consumer which was and is two years old as long as such arrears are shown continuously in every monthly bill as recoverable as arrears of charges for electricity supplied and the distributing licensee have not disconnected the supply of the said premises.**

Since electricity bill prepared against Consumer No. A 15799426 contravened all provisions directed in the said Section 56 (2), the bill was and is illegal and irrevocable under law from any existing and/or under intending consumer , therefore Reliance Energy Ltd. and its officers were and are not justified in keeping pending and not commencing supply by fixing a meter at 3, Kasim Chawl in accordance with the requisition No. AN 2004 / 04979 dated 05.11.2004.

Copies of estimate, notice and supplier's letter are attached herewith for ready reference.

6. Since Distributing Licensee Reliance Energy Ltd. and its concerned officers dishonestly and knowingly were and are continuously disregarded the directions of Law stated in Sections 42 (1), 43 (1), 46, 47 and 56 (2) of the Electricity Act, 2003 they have committed offences under the said provisions and in continuously failing to obey the said directions of law they are all liable to be prosecuted under the provisions of Section 146 of the Electricity Act, 2003 and liable to be punished according to the said provisions. Therefore it is requested that complaint under Section 151 of the Electricity Act, 2003 may please be registered in the proper court in the interest of public goods.

5. (a) **DATE OF ORIGINAL INTIMATION OF GRIEVANCES BY THE CONSUMER TO THE DISTRIBUTION LICENSEE:**

Date: 10.12.2004 (when notice was issued See notice attached).

6. **REMEDY PROVIDED BY THE DISTRIBUTION LICENSEE : NIL**

7. **NATURE OF RELIEF SOUGHT FROM THE FORUM:**

- (1) That the Reliance Energy Ltd. and its officers may be ordered to immediately commence supply at Room No.3, Kasim Chawl, as per Application No. AN 2004/ 04979 dated 05.11.2004.
- (2) That the Reliance Energy Ltd. and its officers may be ordered to deposit sufficient amount as penalty leviable under the provisions of Section 43 (3) of the Electricity Act, 2003.
- (3) That the Reliance Energy Ltd. and its officers may be ordered to submit a list of Consumers and amount illegally recovered disregarding provisions

of Section 56 (2) of the Electricity Act, 2003, and all amounts recovered illegally under the said section may be refunded to miserable consumers from whom the officers of Reliance Energy Ltd. in the past time under the stake of keeping them in dark and by not providing supply to their premises.

- (4) That prosecution under section 151 of the Electricity Act, 2003 may be instituted in proper court against Reliance Energy Ltd. for concerned officers who were and are knowingly contravening provisions of Sections 42 (1), 43 (1), 46, 47 and 56 (2) of The Electricity Act, 2003.

9. DECLARATION:

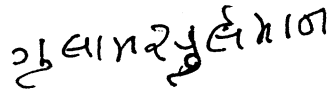
- (a) **I, Gulam Suleman Shaikh and my representative Shri Gopalkrishna Kundanmal Chondak of Kalyan herein declare that:-**
- (i) **The information furnished herein above is true and correct and**
- (ii) **We have not concealed or misrepresented any fact stated in aforesaid columns and the documents submitted herewith.**
- (b) **The present grievance has been intimated to the Distribution Licensee in the form and manner and within the time frame prescribed by the Distribution Licence and we are not satisfied by the distribution Licensee and its concerned officers.**
- (c) **The subject matter of the present Grievance has never been submitted to the Forum by us or by any parties concerned with the subject matter to the best of our knowledge.**
- (d) **The subject matter of our Grievance has not been settled through the Forum in any previous proceedings.**

- (e) The subject matter of our Grievance has not been decided by any authority, court and or arbitrator.

OR

The subject matter of our Grievance is pending since date of notice dated 10.12.2004 before your Honour's Forum and we understand that proceedings are likely to take time for being finally adjudicated.

Yours faithfully,



Dated: 17/12/2004

(GULAM SULEMAN SHAIKH)

NOMINATION

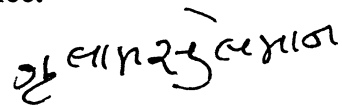
I the above named consumer hereby nominate Shri Gopikrishna Kundanmal Chandak residing at Flat No.2, Building No.1, Prabhu Niwas, Ramabaug, Lane No.4, Chikanghar, Kalyan (W), Pin – 421 301, district Thane, Maharashtra Rajya, Phone No. 95251 – 2790462, who is not an advocate as my REPRESENTATIVE in the proceedings and confirm that any statement acceptance or rejection made by him shall be binding on me. He has signed in my presence.

ACCEPTED



(GOPIKRISHNA KUNDANMAL CHANDAK)

Representative of the Consumer



(GULAM SULEMAN SHAIKH)

Date: 17/12/2004.