

**FORUM FOR REDRESSAL OF CONSUMER GRIEVANCE**  
( to be submitted along with schedule A)

CASE NO. 07 / 2007

1	Name of the Applicant:- (in Block letters)	INAMULLAH MOHD. YUSUF
2	Contract account/Application No.	150549511, A13150183
3	Division	SC Zone
4	Tariff Category, ( LF1, LF2,	LF1
5	Nature of Complaint. (Excess Billing, Supplementary bills, Tariff change..)	None supply of electricity connection
6	Disputed amount	Nil
7	No & Date of First Complaint	Advocates letter dated 7/5/07
8	Is the amount charged u/s 126/135 of Electricity Act, ( i.e for unauthorized use of Electricity of Theft of Electricity)	No
9	Date of Registering of complaint with REL and with Name and Designation of the concerned Officer.	Shri K.C. Vaidya Sr. Engineer, Reliance Energy Ltd. MIDC Marol (Number of complaints annexed to the present complaint.
10	Name and Designation of the Officer contracted give details of the discussion and Orders issued.	Shri K.C. Vaidya Sr. Engineer ( Letters dated 21/7/07, 27/6/07,23/5/0723/8/05- he always gives strange reason for not providing electricity connection such as Objection form your neighbors, submit way leave form and bond etc. though the way leave form is

		submitted and bond is also executed by me long back.
11	Action take up by the REL in mitigating the Grievance and letter thereof.	None until date to my knowledge
12	Date of intimation to internal Grievance Redressal cell of REL	7/6/2007
13	Date of Acknowledgement given by internal Grievance Redressal cell of REL	7/6/07 No. 2037
14	Name and Designation of REL Internal Grievance Redressal cell Officer	I don't know the name
15	Letter from Internal Grievance Redressal cell of REL stating the action taken by REL in respect of the Grievance	Not received by me until today i.e. 6/9/07
16	Any other matter you like to state regarding grievance Redressal by REL	There is no any effort to Redressal the grievance from REL, they don't even reply to the letters written by me or by My Advocate, the REL officers says that I need to submit Way Leave Form by their letter dated 21/7/07, without considering that I have submitted the way leave form way back on 9/7/07, I have stated that I have dispute with my landlord hence I cannot obtained his signature, but I have many documents to show prove my bonafide tenancy and legal occupation of my premises/

5877

APPLICATION TO FORUM FOR REDRESSAL OF GRIEVANCE

DATE- 27 AUGUST 2007

To,  
The Grievance Redressal Forum of Reliance Energy Limited.  
Reliance Energy Limited,  
Consumer Centre Bldg, 2nd floor,  
E-4, MIDC Area, Andheri- (E) 400 091

Reliance Energy  
SZ  
MIDC, ANDHERI (E)  
My Rao  
10 AUG 2007  
Forum  
DY. GM.  
CE  
SR. MGR.  
1  
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MGR.  
ZONE  
DEPT

Name of the Consumer:- Mr. Inamullah Mohd. Yusuf  
Full Address of Consumer:- Room NO. 12, Farid Khan  
Chawl, Andheri West, Talathi Compound, S.V. Road,  
Andheri (W), Mumbai 400 058

Pin Code:- 400 058,  
Phone No:- 9324388681, 9820032918

Fax No.- Nil

Email ID - [adv.a.pande@indiatimes.com](mailto:adv.a.pande@indiatimes.com)

- 3 Particulars of Connection and Consumer No.- Either  
transfer of meter bearing Account NO:- A-13150183,  
Cycle No: 02, Book No: 405 and/or providing fresh  
electricity meter.
- 4 Distribution Licensee :- Reliance Energy Limited
- 5 Details of the Grievance, Facts giving rise to the  
Grievance :-

- a) That I am residing at the above address since 1970, as  
a tenant of the aforesaid residential premises. I have  
all the necessary documents such as Ration Card,  
Rent receipt, Election Identity Card issued by the  
Election Commissioner of India to prove my long  
occupation of the above premises.
- b) Since inception, I was sharing my electricity  
connection with my neighbor named Niyaj Ali. The  
electric meter was in the name of said Niyaj Ali. In and  
around May 2005 the said Niyaj Ali sold his Room  
which is now demolished by the Builder. While selling  
the said Room the Said Niyaj Ali had given his No  
Objection Letter to Reliance Energy requesting to  
transfer the electric meter having Number  
LF13870351 and consumer No. A13150183 Cycle No.  
01. Book No. 414 service No. 004 installed near my  
residence. The said Niyaj Ali had also given Affidavit  
dated 11th May 2005 to Reliance Energy repeating the

same request to transfer the electric meter in my favour. He has also indemnified Reliance Energy from any future damages.

- c) That pursuant to the said request, Reliance Energy has demanded Rupees Two Hundred and Fifty two only as transfer fees/security deposit from me, which I have duly paid, by receipt No. 0000029441.
- d) That thereafter by their letter dated 29th August 2005 addressed to me, Reliance Energy has demanded various documents as requisition, which I have duly provided to them.
- e) It is to be noted that until all these period the electricity supply to my premises was continued uninterrupted.
- f) That suddenly in the month of September 2005, Reliance Energy has disconnected the electricity supply. This was done at the instance of the property owner, who is in the process of redeveloping the chawl. There are many police complaints lodged by me, against my landlord i.e. M.K. Builder. The landlord is very influential person having criminal records, myself and other authority are scared of these people. The purpose behind harassing me, by disconnecting the electricity supply at the instance of the landlord is to get rid of bonafide tenants.
- g) That thereafter I once again submitted fresh application for electricity connection on 19 May 2007 as per the direction of Reliance Energy by its letter dated 14 May 2007. I have also paid Rs. 1645/- alongwith the fresh application.
- h) Thereafter the office executive visited my premises on 22nd May 2007, but did not install the electricity. Finally, I received one letter from Reliance Energy asking me that due to objection from Neighbors/service provider I should collect refund of my payment made. I received this letter on 24th May 2007.

- i) I have written through my Advocate to Reliance Energy time to time my Advocate has also cited the Judgement of MERC, which held that owners permission/consent is not necessary for providing electricity to the tenant.
- j) Since there was no satisfactory reply or compliance from Reliance Energy, I lodged an complaint/Grievance with the Internal Grievance Redressal Cell of Reliance Energy. I prayed that either Reliance Energy to transfer the meter of Niyaj Ali as stated above to my name or provide new connection for which I have lodged fresh application and paid necessary charges at the earliest.
- k) Thereafter I received one Letter having Reference No. SCZ/PRG- 177/KCV/2007-08 dated 27 June 2007 received by me on 6 July 2007 calling upon me to submit "Way Leave Form" duly signed by me alongwith owner's signature.
- l) I have by me letter dated 9th July 2007 submitted detail reply and also provided way leave form and indemnity bond to Reliance Energy. I have explained that Owners Signature is NOT possible for the reasons stated therein.
- m) I have called upon the Reliance Energy to do the needful through my several correspondences and by legal notices issued by my Advocate time to time. Unfortunately, there is no proper response form the company. The company also failed to consider that whole summer period I survived without electricity supply for several months myself and my family consisting of school going children's has suffered without electricity. As there is no other Distribution Licensee in the area and the Reliance Energy is the sole Distributor, I could not help but to pursue the remedies available in accordance with law.
- n) That I have time to time paid the necessary charges as asked by the Reliance Energy, I have also submitted

Indemnity Bond and other documents as per the requisition; still neither the Reliance Energy nor their Internal Grievance cell did anything to mitigating the problem.

- o) That recently I have received one letter dated 21/7/07 again calling upon me to provide Way Leave Form duly signed by the landlord and myself. This letter was unwarranted as this letter completely ignores my letter dated 9th July 2007 wherein I have duly submitted a Way Leave Form along with an Indemnity Bond duly signed by me. The prescribed form of "Way Leave Form" itself states that **"if the applicant is unable to obtain the permission of the owner of the land/of owner of the structure, he may contract the company with such proof as he may have about his status as lawful occupant of the land and the structure"**. In view thereof, I have several times enclosed various documents showing and proving my lawful occupancy of the structure, I have mentioned several times in the correspondence that I have serious dispute with the landlord and hence he will never give his consent for the Way Leave Form. I have also by my Advocates letter annexed the copy of the Judgement of Energy Ombudsman wherein it is stated that land lords permission is not necessary if the applicant is lawful occupant. The Reliance Energy has never in there several correspondence doubted or questioned about my lawful occupancy of the premises.
- p) It is submitted that the IGR of the Reliance Energy has not applied its mind while issuing the letter dated 21/7/07. it also ignores my compliance by me letter dated 9/7/07.
- q) The Distribution Licensee has never questioned my lawful occupancy of the premises.
- r) The Reliance Energy has not followed the basic law as prescribed in The Electricity Act, 2003. It also violates

the provision of section 42, 43 r/w section 44 of the said Act.

- s) The Reliance Energy also fails to consider the ratio in Judgments passed by the Ombudsman
- t) The Distribution Licensee is liable to pay me penalty of Rs 1000/- per day since 7th May 2007, as per clause (3) of section 43 of The Electricity Act, 2003. As the reason for which I am, denied electricity supply is not covered by section 44 of the said Act.
- u) The Distribution Licensee failed appreciate the decision in the case of Smt. Divenderkaur Saini versus Executive Engineer Maharashtra State Electricity Board ( Representation No. 5 of 2005) wherein it was held that owners consent is not necessary for giving electric connection to the occupier of the premises.
- v) The applicant has approached all the necessary authority of the distribution Licensee including the IGR, but the same did not yield any fruitful result.
- w) The applicant has waited for two complete months from the date of approaching the IGR.
- x) The applicant will submits all the necessary documents and proofs as and when called for or at the time of the hearing of the matter.
- y) The applicant seeks personnel hearing in the matter.
- z) The applicant is ready and willing to pay the necessary charges for deciding the present application.

6 Date of the Original Intimation of Grievance by the Consumer to the Distribution Licensee ( Internal Grievance Redressal Cell) :- 7 June 2007

7 Remedy provided by the Distribution Licensee, If any: - Yes Remedy Complied With, necessary documents and relevant communication is enclosed herewith.

8 Nature of Relief Sought from the Forum: - Seek Electricity connection to my residential premises. (All necessary proof in support of my claim is enclosed herewith.) Seek

Penalty/damages from the Reliance Energy for non-compliance of provision of Law.

- 9 List of Documents Enclosed :- as under
- i) Letter of Reliance Energy dated 21/7/07
  - ii) Letter of Applicant dated 9/7/07( alongwith Way Leave Form and Indemnity Bond)
  - iii) Letter of Reliance Energy dated 27/6/07 ( Alongwith draft Way Leave Form and Indemnity Bond)
  - iv) Advocates Notice dated 18/6/07 issued on behalf of Applicant, duly acknowledged by the Reliance Energy.
  - v) Complaint to IGR dated 7/6/07 alongwith all the annexure.
  - vi) Advocates letter dated 1/6/07 in reply to Reliance Energy's letter dated 23/5/07, with all its annexure.
  - vii) Reliance Energy's letter dated 23/5/07
  - viii) Advocates Letter dated 26/5/07 alongwith all the annexure thereto.
  - ix) Receipt dated 11/5/2005 issued by Reliance Energy.
  - x) Reliance Energy Letter dated 29/8/05
  - xi) Reliance Energy Letter dated 14/5/07
  - xii) Advocates letter dated 7/5/07
  - xiii) Police Complaint against Applicants landlord.
  - xiv) Any other documents at the time of hearing of the matter, with the permission of Hon'ble Forum.

10. Declaration :-

(a) I, the consumer herein declare that:

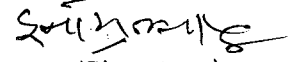
- (i) the information furnished herein above is true and correct, and
- (ii) I have not concealed or misrepresented any fact stated hereinabove and the documents submitted herewith.

(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 Licensee and I am not satisfied by the remedy provided by the Distribution Licensee or no remedy was provided within a period of (2) months from the date of the Original Intimation.



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- (a) The subject matter of the present Grievance has never been submitted to the Forum by me or by any one of us or by any of the parties concerned with the subject matter to the best of my knowledge.
  - (b) The subject matter of my Grievance has not been settled through the Forum in any previous proceedings.
  - (c) The subject matter of my Grievance has not been decided by any competent authority/court/arbitrator, and is not pending before any such authority/court/ arbitrator.

Yours faithfully,

  
(Signature)

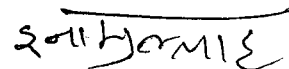
INAMULLAH MOHD. YUSUF KASAM

NOMINATION- (if the consumer wants to nominate his representative to appear and make submissions on his behalf before the Forum, the following declaration should be submitted)

i/we the above named consumer hereby nominate Shri/ Smt. \_\_\_\_\_  
\_\_\_\_\_, who is not an Advocate and whose address is \_\_\_\_\_  
\_\_\_\_\_ - as my/our REPRESENTATIVE in the  
proceedings and confirm that any statement, acceptance or rejection made by  
himn/her shall be binding on me/us. He/She has signed below in my presence.

ACCEPTED

Signature of the representatives



Signature of consumer