

**Consumer Grievance Redressal Forum
Maharashtra State Electricity Distribution Co. Ltd.
Bhandup Urban Zone, Bhandup**

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/

Date :

Case No. 121

Hearing Dt. 28/ 05/2007

In the matter of failed DTC and compensation towards loss of production due to delay in replacement of it

M/s. Jaya Mohandas, Bhiwandi

- Appellant

Vs.

Superintending Engineer, MSEDCL, Bhiwandi Circle

- Respondent

Present during the hearing

A - On the behalf of CGRF, Bhandup

- 1) Shri S.L. Kulkarni, Chairman, CGRF, Bhandup.
- 2) Shri S.B. Wahane, Member Secretary, CGRF, Bhandup.
- 3) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

B - On the behalf of Appellant

- 1) Shri Pravin Thakkar, Consumer representative.

C - On the behalf of Respondent

- 1) Shri S.R. Prasad, E.E., Bhiwandi Circle
- 2) Shri D.R. Barate, A.E., Bhiwandi Circle.

Preamble:

M/s. Jaya Mohandas is the power loom consumer of the respondent having consumer No. IP 6640/01301925086/5 with connected and sanctioned load of 15 HP. The consumer has put up his grievance with this Forum on 18/04/2007. Due to recent handing over the power distribution matter to Torrent Co. (Franchisee) there is still not a Internal Grievance Forum. Hence appellant has directly approached this Forum.

Consumer's say :

The Appellant was getting power from D.T.C. of Sub-Division No. 5 of 500 kVA, Kalyan Road, Babla Compound, Bhiwandi. It tripped on 18/09/2006 and repaired and installed on 30/09/2006. The same transformer failed again on 19/11/2006 and repaired and replaced on 30/11/2006. The consumer had to suffer without power for 22 days (totaling both the failures). All these interruption resulting into production loss of Rs. 44,704/-. The consumer states that the poor quality of administration, mismanagement and poor quality of maintenance like over loading, double feeding results increased repeated failures of transformer. The persons from utility demand corruption money verifying from 50,000 to 1 lakh through their agents and dalals. They are framing their own rules and regulations to harass the consumers for their personal benefits.

The failed transformers should be replaced by the utility within 24 hrs. in urban areas as per S.O.P. S.O.P. was not maintained by the utility; hence he should be compensated for delay in replacement of transformer.

The say of Respondent :

Utility accepted the failure of transformers during stipulated period (twice) as stated by the consumer. Utility has taken the efforts to replace the transformers in minimum time as per availability and maintaining the seniority. In Bhiwandi, failure rate of transformer is very high and there is a gap between availability and failure. The efforts have been made to maintain the transformers in good condition. Regarding the compensation raised by the consumer, utility asked the consumer to submit few documents to enlighten the claim. In Bhiwandi consumers have a bad

habit to increase the sanctioned load sue motto, which results in overloading of transformers and thereby their failures.

Observations :

It is observed that the said DTC may failed due to excess of allowable load. Utility cannot provide any documents for the failure of DTC. The reason explained for it is considerable upto some extents only. It is observed that the connected load on the Babla compound DTC having 500 kVA capacity was in excess of allowable load. Thus, resulting into its frequent failure. It could not prove that the applicant is responsible for DTC failure.

The utility is thus prima facie liable to pay compensation at the prescribed rate for failure to replace the transformer within 24 hrs. in an urban area (utility having admitted to the fact that it took 22 days to replace the transformers in two instances together). However, as the claim for the compensation was not lodged within sixty days from the date of rectification of the deficiency, the same cannot be entertained as per rule 12.2 of standard of performance of distribution licensees, regulation 2005. Hence disallowed.

More over, appellant has demanded for an additional compensation of Rs. 44,704/- towards labour charges, rent etc. He has produced some photographs of labour lying idle. These are difficult to believe. The wage receipt of labour do not substantiate the claim without corroborative evidence and hence the claim for compensation cannot be substantiated and proved and hence disallowed.

ORDER

1) The request of the appellant consumer is rejected on the grounds of time barred claim as mentioned in section 12.2 in S.O.P.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 31st of May 2007.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman
The Electricity Ombudsman,
Maharashtra Electricity Regulatory Commission,
606, Keshav Building,
Bandra - Kurla Complex, Bandra (E),
Mumbai - 400 051.

2) If utility is not satisfied with order, it may go in appeal before the Hon. High Court within 60 days from the date of receipt of the order.

MRS. M.P. DATAR
MEMBER
CGRF, BHANDUP

S.B. WAHANE
MEMBER SECRETARY
CGRF, BHANDUP

S.L. KULKARNI
CHAIRMAN
CGRF, BHANDUP

**CONSUMER GRIEVANCE REDRESAL FOURM
MAHARASHTRA STATE DISTRIBUTION COMPANY LTD**

Ph. No. 25624315
25624316
25624322

Consumer Grievance Redresal Forum
"Vidyut Bhavan", Gr. Floor,
L.B.S. Marg, Bhandup (W),
MUMBAI - 400 078

REF.NO. Secretary/CGRF/MSDCL/BNDUZ/Case No. 121/

Date :

To

Shri Jaya Mohandas,
Shop No. 2, Kalyan Road,
Zenith compound,
Near Aasbib Darga, **BHIWANDI – 421302.**

SUB : Decision issued in respect of case No. 121.

Dear Sir,

In response to the grievance put up by you with the Forum vide case No. 121 dt. 18/04/2007 hearing is completed on dated 28/05/2007 & the order passed on vide this office order No. 00079 dtd. 31/05/2007 is enclosed herewith for your information please.

Thanking you,

Yours faithfully

Encl : As above

SECRETARY
CGRF, MSEDCL,
BHANDUP

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c.s.w.r. to :

- 1) Chief Engineer (L.M.),
M.S.E.D.C.Ltd., H.O.,
Prakashgad, Bandra (E),
MUMBAI – 400 051.
- 2) The Chief Engineer, MSEDCL, BNDUZ, Bhandup.
- 3) The Superintending Engineer & Nodal Officer,
Consumer Grievance Internal Redressal Cell,
Office of the Superintending Engineer,
O&M Circle, MSEDCL, Bhiwandi.

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REF.NO. Secretary/CGRF/MSDCL/BNDUZ/Case No. 121/

Date

R.P.A.D.

To

Shri Jaya Mohandas,
Shop No. 2, Kalyan Road,
Zenith compound,
Near Aasibi Darga, **BHIWANDI – 421302.**

SUB : Registration of your grievances dtd. 18/04/2007.

Dear Sir,

The grievance submitted by you is registered to this Forum vide Sr. No. 121, dtd. 18/04/2007 & hearing date is fixed on 28/05/2007 at 11.30 hrs. at the office of the Consumer Grievance Redressal Forum, Vidyut, Ground Floor, LBS Marg, Bhandup, Mumbai -78.

Therefore, it is requested to attend the hearing on the above date alongwith documents in support of your grievance. In case of failure to attend the hearing on the above date, this Forum shall decide the Grievance Ex-parte on merit which may please be noted.

Thanking you,

Yours faithfully

**SECRETARY
CGRF, MSEDCL,
BHANDUP**

c.f.w.cs. to :

The Superintending Engineer i.e. Nodal Officer,
I.C.G.R.C., Office of the Suptd. Engr.,
Bhiwandi Circle, **BHIWANDI**.

-- He is requested to attend the hearing on the above date alongwith the concerned authority & the details of report related with the grievance of the consumer.

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MAHARASHTRA STATE DISTRIBUTION COMPANY LTD**

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Date

To

The Nodal Officer & *Superintending Engineer*,
Consumer Grievance Internal Redressal Unit,
Office of the Superintending Engineer,
MSEDCL., **BHIWANDI**.

SUB : Submission of point wise compliance
in respect of case No. 121.

As per MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulation 2006 vide clause No. 6.12, the copy of grievance registered at Sr. No. 121 is being forwarded to your office for submission of issue wise compliance. The hearing date of the case is fixed on dated 28/05/2007 at 11.30 hrs. However, the Nodal Officer shall act as the co-ordinator for filing the reply, making submission, providing issue wise comments on the grievance, submitting compliance status / reports etc. Therefore it is requested to submit point wise compliance to this Forum in respect of the case in consultation with concerned authority within 15 days from the date of issue of this letter or one week before the date of hearing which ever is earlier.

The copy of compliance should also be provided by you to the consumer before hearing.

SECRETARY
CGRF, MSEDCL,
BHANDUP

