

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

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

Date :

Case No. 151

Hearing Dt. 22/01/2008

**In the matter of new connections to residential & commercial complex**

**M/s. Varun Developers**

- Appellant

Vs.

**MSEDCL, Wagle Estate, Thane**

- Opponent

**Present during the hearing**

**A - On 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 behalf of Appellant**

- 1) Shri Ravi Anand, Consumer representative.
- 2) Shri Deshmukh, Consumer representative.
- 3) Shri Anand Mhatre, On behalf of applicant consumer.

**C - On behalf of Respondent**

- 1) Shri Petkar, Ex. Engr., Wagle Estate.
- 2) Shri Pandey, Dy. Ex. Engr., Patlipada, Kolshet.

**PREAMBLE :**

The consumer registered his grievance with this Forum on 29<sup>th</sup> Jan. 2008 vide case No. 152. The consumer was aggrieved with the decision of ICGRU vide letter No. SE/THNUC/TS/ICGR/6519, dtd. 31<sup>st</sup> October 2007. The hearing date was fixed on 22/01/2008. All the concerned were intimated to attend the case.

**CONSUMER'S SAY :**

M/s. Varun Developers (Consumer) is a real estate developer and developing property at Manpada road near Lawkin. He applied for new connection in prescribed format alongwith documents on 11<sup>th</sup> Nov-2006. He asked for 2832 kW required load for this new connection of their residential complex with the approved copy of plan and CC. He also gave an assurance to provide a suitable piece of land for 2/3 transformer sub-station as per MERC's Regulation 2005.

Subsequently, his constructions are enhanced and thus revised the power requirement to 4136 kW as intimated by him to utility on 13<sup>th</sup> March 2007. Dy. Ex. Eng. asked for space installation of 10 Nos. of transformers 20' x 20" to be taken on lease by utility for establishing sub-station. The requirement of space (10 Nos.) mentioned by utility officials is based on exaggerated figure of load requirement of the consumer and is thus based on excess Nos. of transformers and space for them. In the whole process the utility is not observing the procedure prescribed by MERC Regulation 4.4 & 5.5. As there is violations of these provision especially about prescribed time limit in power supply, the appellant consumer be compensated Rs. 10,000/- to be recovered towards expenses.

The consumer put his power requirement revised for the third time indicating at 2763 kW instead of 4136 kW. This reduction is possible because of his providing solar energy and back up power generation.

The consumer approached the ICGRU, Thane Circle for redressal of his grievance. However, after hearing the consumer and utility officials, the ICGRU issued orders for 8 Nos. of transformers. It is not clear from the order, that how ICGRU worked out this figure of 8 Nos. of transformers, he is also not mentioned about the space required for installation of transformers.

In the appeal letter, the consumer has made following submission

- 1) To take minimum space required a prevailing market rate.
- 2) To penalize as per S.O.P. Regulations for not providing estimate to compensate loss to the consumer for delaying the matter.
- 3) To give Rs. 10,000/- towards expenses.
- 4) Any other provisions as per Electricity Act 2005 and regulations there under.
- 5) We request technical experts from other D.L., BEST Reliance etc. may be consulted.

During the hearing, the requirement of space for set up of transformers can be reduced by installing larger capacity transformers like 1000 kW instead of 630 x 2 kW. Such large capacity transformers had been installed at Vashi, Navi Mumbai under ORC. Thus the reasonable requirement of transformers is only 6 Nos.

**UTILITY'S SAY :**

As per their letter dtd. 21<sup>st</sup> Jan. 2008, application from M/s. Varun Developers dtd. 13/03/2007, received by this office on 26/03/2007, the consumer demand is as follows:

S. No.		Total kW	Total kVA	Proposed DTC
1	Commercial 1A & 1B	165 kW + 170 kW	183 kVA + 300 kVA = 483 kVA	630 kVA
2	Residential Bldg. R1	874kW	971.11kVA	630 kVA x 2
3	Residential Bldg. R2	874 kW	971.11kVA	630 kVA x 2
4	Residential Bldg. R3	794 kW	882 kVA	630 kVA x 2
5	Residential Bldg. R4	794 kW	882 kVA	630 kVA x 2
6	General Lighting	355 kW	394 kVA	500 kVA x 1

Accordingly, the inspection was done on 30/03/2007 and orally informed to M/s. Varun Developers for providing space to 10 nos. of DTC's. Again reminder was given on 15/05/2007 and 07/07/2007 but no positive response was given from consumer. Hence estimate or above scheme could not be prepared.

In the course of the hearing, the Executive Engineer, Wagle Estate Division stated that the utility has to take into consideration various safety aspects and adequacy of the infrastructure to be provided for the benefit of the consumer. Ultimately, after completion of construction work, the builder does not continue to remain in service of the resident consumers and the utility has to take care of consumers permanently. The utility has a standard purchase at its own cost the transformers of the capacity 630 kW. The requirement for 10 Nos. of transformers for this complex has been worked out carefully. As per provisions, the builder has to provide required suitable piece of land in the complex to be given to the utility on lease for which utility would be paying to the builder appropriate lease rent for the said land.

The utility further mentioned that the consumer should furnish to them flat wise area of the complex to justify the claim of load requirement so revised. The utility has specific norm of load requirement, which can be worked out, on the floor area to be electrified. The consumer had still not responded to the written request made.

**OBSERVATIONS:**

- 1) The consumer does not appear to be firm about the correct extent of power requirement. The utility is prepared to recalculate consumer's power requirement and thus decide about the installation of no. of required transformers for which the consumer will have to give minimum required space for utility on lease rent.
- 2) The utility has to consider various safety norms and interest of consumer residents/users in the complex in the long run. Since the consumer is yet to furnish the required information to the utility, clearly the utility has not violated any provision of S.O.P. There is also no need to seek for the technical opinion of officials of BEST or Reliance as suggested by consumer's representative.
- 3) As per provisions prescribed by MERC regarding power supply and utility providing infrastructure no formula appears to have been set up and as such, there is no reason to question utility's demand to set up particular set of infrastructure. In fact it is the sole responsibility of the utility considering factors like figure growth in the load.
- 4) The utility official had made regular correspondence with the consumer for the details about the floor area under construction and required land for set of sub-station to which the consumer had not replied fully. As such there is no violation of any prescribed time frame to give power supply to the consumer. There is, therefore no justification for grant of compensation/expenses to the consumer.

5) The consumer had approached ICGRU, Thane. The order issued by the ICGRU indicates installation of 8 Nos. of transformers instead of utility asking for installation of 10 Nos. of transformers. By the load demand letter of dated 13<sup>th</sup> March 2007, which is 4136 kW, the utility prepared 10 Nos. of transformers. But ICGRU has considered 4606 kW, which is explained as to how they worked out and simply prepared. The transformer of 630 kVA each by dividing 4606 kW and simply proposed 8 Nos. of transformers. Therefore, this order is meaningless and does not hold good.

### ORDER

The utility should obtain from the consumer the approved building plans and correct floor area to be electrified and work out the requirement of transformers to be installed in the sub-station to be located in the complex of the consumer who is to give the required land on lease to the utility. After getting a concrete reply/information from the consumer the utility should in the prescribed time limit take further action towards supply of required power to the consumer.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 13<sup>th</sup> February 2008.

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 receipt of the order.

**MRS. M.P. DATAR**  
**MEMBER**  
**CGRF, BHANDUP**

**S.B. WAHANE**  
**MEMBER SECRETARY**  
**CGRF, BHANDUP**

**S.L. KULKARNI**  
**CHAIRMAN**  
**CGRF, BHANDUP**