

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

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

Date :

Case No. 180

Hearing Dt. 06/06/2008

**In the matter of granting compensation claim**

**M/s. R.T. Textile** - Appellant

Vs.

**MSEDCL, Bhiwandi** - Respondent

**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 Pravin Thakkar, Prop. Of R.T. Textile.

**C - On behalf of Respondent**

- 1) Mr. R.P. Choudhary, Ex. Engr., Bhiwandi circle.
- 2) Mr. D.R. Barhate, Asstt. Engr., Bhiwandi Circle.

Applicant is running a power loom unit at Zenith compound, shop No. 2, Kalyan Road, Near Asbibi Darga, Bhiwandi. He has been sanctioned 10 HP load. He has been sanctioned 2 HP load. He approached to the opponent for enhancement of load for 18 HP on 10/11/2005 officials of the opponent carried out the survey but official sanction was not given to the consumer. He waited for a long time and enhanced the load sue motto. Utility also started billing him from 14/05/2006 for enhanced load. The utility without reply or decision started billing for this enhanced load from 14/05/2006. The applicant further applied to utility on 25/04/2006 with the request to increase the load from 18 HP to 22 HP. Again utility did not give any decision but started billing him for 22 HP load from the same date. Hence, he approached to CGRF. He was aggrieved with CGRF orders and approached to Electricity Ombudsman. Ombudsman passed the order on dtd. 17/07/2007 to sanction the load of the said consumer with retrospective effect from 14/05/2006 from when it was reflected in the bills of the consumer.

Consumer also demanded for compensation under SOP issued by MERC of 20/01/2005. Penalty should be charged to the utility for non-adhering S.O.P. by way of compensation and also the compensation for mental stress, tension and agony.

Ombudsman rejected the compensation demanded by consumer on grounds that he did not press for the compensation.

Ombudsman again rejected his appeal for compensation on grounds that in the review order the consumer did not raise any new points. All other points were already discussed in previous hearing. Hence rejected the compensation claim. Then he approached to the

utility franchisee M/s. Torrent Power Ltd., Bhiwandi to issue him an official sanction with retrospective effect for his enhanced power load in terms of directives of Ombudsman. However, the utility again started passing time insisting on several documents. Thus the consumer felt that utility has not complied with Ombudsman order for almost six months.

Hence the consumer approached to MERC for non-compliance of Ombudsman order passed on 17<sup>th</sup> July 2007 and review order dtd. 13/08/2007. He again raised the point of compensation before the Commission. Commission rejected his compensation claim for mental stress, tension and agony but he gave an order that he should approach relevant CGRF for compensation under 12.2 of SOP Regulations.

The consumer in his prayer appeal for compensation @ Rs. 100/- per week from the date of his application i.e. 20/11/2005 delayed period for sanctioning of load and also grant of compensation for mental stress and tension of Rs. 50,000/-.

#### OBSERVATIONS :

In view of clear directives in the order issued by MERC the consumer had been advised to approach CGRF for claiming compensation under SOP for delaying sanctioned order as directed by Ombudsman, hence case had been admitted by CGRF.

Consumer approached CGRF in pursuance of MERC order dtd. Feb 12, 2008 in time.

The utility ought to have obeyed electricity Ombudsman order dtd. 17/07/2007 immediately but actual effected i.e. issued official sanctioned order of enhanced load on Jan 21, 2008. Thus there is a delay from 17/07/2007 to 21/01/2008 i.e. 25 weeks and thus as prescribed under SOP Appendix "A" he will have to be awarded as compensation @ Rs. 100/- per week for 25 weeks.

### **ORDER**

The Utility should award the compensation to the applicant consumer for delayed period of 25 weeks @ Rs. 100/- per week.

Compliance of this order should be communicated to the Forum within a period of one month.

The order is issued under the seal of consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 13/06/2008.

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

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