



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph: – 2210707 & 2328283 Ext: - 122 E-mail : cgrfkalyan@mahadiscom.in

**IN THE MATTER OF GRIEVANCE NO. K/N/0047/414 OF 2010-2011 OF
M/S. SAI ENTERPRISES, NALLASOPARA, REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT NEW CONNECTION.**

M/s. Sai Enterprises
S. No. 106, H. No. 01
Achole Gaon, Nalasopara (East),
Tal : Vasai, Dist : Thane

(Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Ex. Engr. MSEDCL
Nalasopara (East) Sub Division.

(Here in after
referred to
as Licensee)

- 1) Consumer Grievance Redressal Forum has been established under regulation of "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission (MERC) vide powers conferred on it by section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The complaint was regarding non releasing connection to M/s. Sai Enterprises, Nalasopara. The complainant registered grievance with the Forum on 07/08/2010 regarding New Connection. The details are as follows :
Name of the complainant : M/s. Sai Enterprises
Address: - As above
Old Consumer No : New connection
Reason for Dispute : - Regarding non release of new connections.
- 3). The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/371, dt. 07.08.10 to the Nodal Officer of the Licensee, and the Licensee through Nodal Officer MSEDCL Vasai Circle filed reply vide letter No. IGRC/VC/CGRF-413/2010-11/6994, dt. 30.08.2010.
- 4) The Members of the forum heard both the parties at length on 07/09/2010 @ 16.00 Hrs. in the meeting hall of the Forum's office. Shri Ravi Anand, Shri S. S. Mirje, Shri R. Jaiswal, representatives of the consumer & Shri Nitin Pevekar Dy. Ex. Engr. representative of the licensee, attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record. Submissions made by the parties in respect of grievance since already recorded will be referred to avoid repetition.
- 5) Complainant is a construction company situated at S. No. 106, Hissa No. 01, Achole Gaon, Nalasopara (E). Grievance of the complainant filed by it's partner regarding new connections. The complainant has stated that it had applied for 38 Nos. of new connections for the project on 25/06/2009. The F.Q. was issued by the licensee on 18/03/2010. According to the complainant these charges were paid and all the

requisite formalities are already completed but the licensee have not released these connections till date and hence the license have violated the provisions of Regulations laid by MERC. It is also contended by the complainant that due to non availability of power supply the residents are facing great inconvenience and hardship. The complainant therefore approached the Forum directly as per the provisions of 6.2 of MERC instead of IGRC and prayed that :

- a) Licensee be directed to release all the connections immediately.
 - b) Compensation be awarded by the licensee for non follow of SOP.
- 6) In response to the above claim licensee has stated that :
- a) F.Q. was issued subject to commissioning of 200 KV DTC at Achole.
 - b) As per feasibility survey erection of new DTC is required since the existing transformer is over loaded and the complainant has submitted an incomplete application, as per MERC (SOP) Regulation 4.6 the period of one year is not completed.
 - c) The complainant has not followed the provisions of MERC Regulations 6.2 and directly approached CGRF. His application therefore be rejected.
 - d) If the complainant needs the connections on urgent basis it should submit it's consent under DDF Scheme.
- 7) We have gone through the record placed before us and also visited the site on 19/10/2010 and prepared notes marked 'A'. We have observed that :
- a) The existing nearby transformer having capacity of 200 KVA is already overloaded, hence proposed 38 Nos. of new connections cannot be released from the same. We find force in the submission made by the learned representative for the licensee.

- 8) We therefore are of the opinion that applications for new connections were given on 25/06/2009 and survey was carried out on 10/03/10, therefore delay as per SOP is of 37 weeks. Hence complainant is entitled for compensation of Rs. 3700/- @ of Rs. 100/- per week (37 X 100 = Rs. 3700) on this count. It is seen application for new connection was given on 25/06/09 whereas F.Q. was issued on 18/03/10 thereby delay as per SOP occurred about 36 weeks hence complainant is entitled for compensation of Rs. 3600/- @ of Rs. 100/- per week (36 X 100 = Rs. 3600) and as such total compensation of Rs. 3700 + 3600 = Rs. 7300 is necessary to be paid by the licensee to the consumer.
- 9) Licensee has submitted incomplete documents at the time of hearing therefore Forum issued a letter to the licensee to furnish details as mentioned above. Alongwith the say licensee filed documents on 05/10/2010. The Forum found some discrepancies in the documents produced therefore visited the site on 19/10/2010 and hence delay is caused to decide the case.
- 10) On going through the record and noticing the capacity of the transformer we unanimously pass the following order :

ORDER

- 1) Grievance application is partly allowed.
- 2) Licensee is directed to get the estimate sanctioned from the competent authority and release the new connections as per the guide lines laid down in Regulation 4.6 as per the provisions of Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution

Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005.

- 3) Licensee is also directed to pay total compensation of Rs. 7300/- (Rs. Seven Thousand Three Hundred only) to the complainant within 30 days from the date of receipt of this decision as directed in para No. 08 referred above as per Appendix 'A' – 1 (i) of Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005.
- 4) Compliance should be reported within 60 days from the date of receipt of this decision
- 5) The Consumer can file representation against this decision with the Hon. Electricity Ombudsman within 60 days from the date of this order at the following address :

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”.

- 6) Consumer, as per section 142 of the Electricity Act, 003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at the following address :

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

Date : 23/11/2010

(Mrs. S.A. Jamdar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan