

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/52/2013

Applicant : Shri Abdul Bashir,
20/A, New Colony, Zam-Zam Water
Supply, Near MangalwariBazar,
NAGPUR:01.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
MSEDCL,
NAGPUR.

Quorum Present : 1) Shri. Shivajirao S. Patil
Chairman,

2) Adv. Subhash Jichkar,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER PASSED ON 14.5.2013.

1. The applicant filed present grievance application before this Forum on 25.3.2013 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as Regulations).

2. The applicant's case in brief is that Non applicant is not providing new 3 Ph. Meter for the purpose of lift. The applicant applied for new 3 Ph. Connection in his residential house for lift in December 2012 but it is not provided. Therefore applicant filed present grievance application.

3. Non applicant denied the applicant case by filing reply Dt. 10.4.2013. It is submitted that the applicant Abdul Bashir filed his application for New Service Connection. However, in that premises there is already one electricity meter for residential purposes and hence another meter can not be given. Registered document of ownership is not produced by the applicant. Consumer No. 410014445114 of single phase is given to the applicant for residential purpose since 3.3.2005. As per clause No. 2.2.5 of M.S.E.D.C.L's terms and conditions, when there is already one electricity connection in the premises another connection can not be given. The application may be dismissed.

4. Forum heard the arguments of both the sides and perused the record.

5. Applicant produced copy of application for new 3 Ph. Connection. It is noteworthy that on Page No. 2 of this document in clause No. 2.1 objects have to be mentioned by the applicant. In this column applicant had given following details :-

a)	Lights	-	Nil.
b)	C.F.L.	-	6.
c)	Tube	-	Nil
d)	Fans	-	1.
e)	Geezers	-	Nil.
f)	Oven / Microwave	-	Nil
g)	A.C.	-	Nil.
h)	Refrigerator	-	Nil
i)	T.V.	-	Nil.
j)	Plugs –		
	5 Amps.	-	Nil
	15 Amps.	-	6.
	30 Amps.	-	Nil.
k)	Lift	-	Nil.
l)	Water Pump	-	Nil.
m)	Electric Motor	-	Nil.
n)	Others	-	Nil.

Therefore it is clear that column ‘k’ i.e. for lift is kept blank in the application. Therefore application for New Service Connection in prescribed form is not for purpose of lift. On the contrary the connection is claimed for CFL, fans and plugs. Therefore application is not proper as per the regulation.

6. The applicant also produced one notarized document named and styled as “Agreement of Tenancy” in between the applicant Shri Abdul Bashir Abdul Nazir (Land Lord) and Shakib Ahmad Mushtaz Ahmad (Licensee). However, many columns in this document are kept blank. In this document it is mentioned that applicant land lord is absolute and exclusive owner in respect of Flat No. 301 and that land lord is interested to allot the rented Flat on live & licensee basis without charging any rent.

However, in application for 3 phase connection, Flat No. 301 is nowhere mentioned. Therefore this agreement of tenancy document appears to be most irrelevant because Licensee / tenant Shri Shakib Ahmad Mushtaq Ahmad has no concern with the present application.

7. It is noteworthy that applicant did not produce any document of title or ownership along with application for 3 phase new connection.

8. Again the applicant produced total contradictory document on record. As per the document of agreement of tenancy Dt. 4.4.2012 (notarized document) the applicant is owner and Shakib Ahmad Mushtaq Ahmad is tenant. But applicant produced another document i.e. Affidavit of Smt. Daulat Begum W/o Shri Abdul Nazir on the Stamp Paper Dt. 25.10.1990. In this Document (affidavit) it is mentioned that Smt. Daulat Begum w/o Abdul Nazir is the absolute owner of the property on Plot No. 20/A as per sale deed Dt. 18.10.1970 and she gifted this property orally to her four sons namely –

- a) Abdul Qadir Abdul Nazir
- b) Mushtaq ahmad Abdul Nazir
- c) Abdul Bashir Abdul Nazir
- d) Abdul Iftekhhar Abdul Nazir

9. The applicant produced “Akhiv Patrika” in the name of above said 4 persons. The applicant also produced tax receipt of Municipal Corporation in the name of above said 4 persons.

10. On careful perusal of application for new electric connection, it appears that many important columns of this application are kept blank. It is not mentioned in this application for connection on which floor 3 phase new connection is required, whether in Flat or house or at any other place. There is no reference of Flat No. 301 in this application. Column of tenant is kept blank, column of telephone number is kept blank. Therefore application for new connection is not in accordance with regulations and not supported by documents of title. The applicant produced certain documents before this Forum on 26.4.2013 after the case was closed for order namely –

i) Affidavit of Smt. Daulat Begum

ii) Akhiv Patrika

iii) Tax receipt

However, this documents were not produced along with application for 3 phase new connection before non applicant in the office. Therefore applicant is not entitled for relief prayed for.

11. There is already one connection in the name of applicant in the same premises and therefore another connection in the same premises for same i.e. residential purpose can not be

given. Therefore we find no merits and no substance in the present grievance application and application deserves to be dismissed.

12. Hence Forum proceeds to pass the following order:-

ORDER

- 1) Grievance application is dismissed.

Sd/-
(Smt.K.K.Gharat)
MEMBER
SECRETARY

Sd/-
(Adv.Subhash Jichkar)
MEMBER

Sd/-
(ShriShivajirao S.Patil)
CHAIRMAN