



**CONSUMER GRIEVANCE REDRESSAL FORUM  
M.S.E.D.C.L., PUNE ZONE, PUNE**

**Case No.20/2014**

**Date of Grievance : 14.08.2014  
Date of Order : 17.01.2015**

In the matter of releasing of 14 connections.

Mr.Balasaheb Genba Kingre,  
B-1/6, Sundarnagari,  
Kothrud,  
Pune-411038.

**Complainant**  
(Herein after referred to as  
Consumer)

**Versus**

Executive Engineer,  
M.S.E.D.C.L.,  
Padmavati Division,  
Pune.

**Respondent**  
(Herein after referred to as Licensee)

**Quorum**

**Chair person  
Member Secretary**

**Mr. S.N.Shelke  
Mr. Y. M.Kamble**

**Appearance**

**For Consumer  
For Respondent**

**Mr.Balasaheb Genba Kingre  
Mr.U.R.Dhaygude,Exe.Engineer  
Padmavati Division.  
Mr.S.B.Kulkarni, Asstt.Enr.  
Padmavati Division.**

- 1) The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & E.O.) Regulations 2006.
- 2) Being aggrieved and dissatisfied by the order dated 12.06.2014 passed by IGRC Rastapeth Urban Circle, Pune, the consumer above named files the present grievance application on the following amongst other grounds.

- 3) The papers containing the above grievance were sent by the Forum to the Executive Engineer, M.S.E.D.C.L., Padmavati Division, Pune vide letter no. EE/CGRF/PZ/Notice/20 of 2014/159 dtd.16.08.2014. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 24.09.2014.
- 4) We heard both sides at length, gone through the contentions of the consumer and reply of the respondent and the documents placed on record by the parties. On its basis following factual aspects were disclosed.
  - i) The consumer has constructed the house consisting of 13 rooms situated in land S.No.8/3/2 at Ambegaon (BK), Pune.
  - ii) The consumer 2012 had applied for 10 separate meters but licensee released only two connections.
  - iii) The consumer is released two connections vide Consumer
    - (a) No. 170508396841
    - (b) No. 170508396832
  - iv) Consumer approached to IGRC, Rastapeth, and then to the Forum.
  - v) The Forum vide order dated 30.11.2013 directed to MSEDCL to pay compensation to said consumer to Rs.1500/- for failure to meet standard of performance and further directed to MSEDCL shall issue 5 more connections in addition to existing 5 connections as suggested by consumer, as per Electricity supply code & other conditions of supply, regulations 2005.
  - vi) Being aggrieved by the decision of the forum, the said consumer submitted representation vide no.24/2014 before the Electricity Ombudsman,(Mumbai). Hon'ble Ombudsman vide order dtd.27.6.2014 decided the representation as per settlement between the parties.
  - vii) In view of directions in the order dated 27.6.2014, The Exe.Engineer, Padmavati Division, requested the consumer to make certain compliance vide letter dated 11.7.2014.
  - viii) Thereafter the consumer approached to IGRC, Rastapeth submitting grievance on 3.6.2014
  - ix) IGRC, Rastapeth, passed impuned order dtd.12.6.2014, directing the consumer to pay service connection charges as per Circular No. CE/Dist./III/SOC/24500 dtd.30.6.2012.
- 5) The consumer Mr. Balasaheb Genba Kingre was present before the forum. He submitted that he has already deposited amount of Rs.20,270/- at the time of applications for connections in the year of 2000. Therefore he is not liable to pay any charges of Service connection or infrastructure. He further submitted

that his load was not increased. Therefore MSEDCL has no right to recover additional expenditure as per Regulation 3.3.4 of supply code 2005. Therefore additional 10 meters be sanctioned to him & he is ready to pay Firm Quotation amount.

6) On the other hand, MSEDCL is represented by Mr. Dhaygude, Exe. Engineer, Padmavati Division & Mr.S.B.Kulkarni, Asstt. Engineer, Padmavati Division. They submitted that as per order of Hon'ble Ombudsman, expenditure of infrastructure is to be borne by MSEDCL under the scheme of non dedicated distribution facility. The said consumer has to make compliance of documents. He has to submit 9 separate applications. The proposed load would be more than 8 KW & therefore proposed supply would be of 3 phases. Therefore they requested the consumer to make such compliance vide letter dt.11.7.2014 but consumer did not give response but approached to IGRC & then to this forum. As per Decision of MERC in Case No.19/2012 consumer has to pay service connection charges as per rules. Consumer is not paying service connection charges. He is not making necessary compliance. Therefore grievance be dismissed.

7) Following point arise for our determination. We give its findings for the reasons recorded below.

a) Whether grievance application is tenable according to law?

Our findings to the said point is in the negative.

8) The said consumer had made representation before Ombudsman (M) in representation No.24/2014 Hon'ble Ombudsman decided the matter by way of settlement vide order dtd.27.6.2014 as under.

*After hearing the matter for some time, parties were asked whether it is possible to settle the dispute. Accordingly, the Appellant agreed that he will submit all necessary documents including rent receipts as per ownership and physical possession of rooms. On completion of necessary documents, Respondent fairly agreed to release all ten connections (Including five connections ordered by the Forum) required by the Appellant and his wife Mrs.S.B.Kingre. As regard infrastructure, the Respondent explains that 3 phase electrical installation is to be provided if the load is more than 8 KW. In this case, the load applied is about 14 to 16 KW. Respondent agreed that estimate for 3 phase underground system under the scheme of non dedicated distribution facility. In view of the above understanding between the parties, representation is disposed off. Parties to act accordingly. Compliance shall be intimated in 30 days thereof.*

- 9) Therefore in view of above mentioned decision the grievance of the said consumer has been already settled vide order dtd.27.6.2014 referred to above. Accordingly, the Exe.Engineer, Padmavati Division vide letter dtd.11.7.2014 requested to consumer to submit 9 separate applications for processing the matter as per order of Hon'ble Ombudsman dtd.27.6.2014. However the said consumer without making the said compliance again approached to IGRC Rastapeth, & started second inning of the grievance. Therefore the said grievance is frivolous & vexatious & not tenable according to law vide regulation 6.7(c) of MERC (CGRF & E.O.) Regulations 2006 & liable to be dismissed.
- 10) Post of Chairperson, CGRF of this Zone was vacant during the period from 28.7.2014 to 7.12.2014. Hence grievance could not be decided during a period of 2 months.

Hence the order

**ORDER**

Grievance of consumer stands dismissed with no order as to cost.

Delivered on: - 17/01/2015

Y.M.Kamble  
Member/Secretary  
CGRF:PZ:PUNE

S.N.Shelke  
Chairperson  
CGRF:PZ:PUNE

Note :- The consumer if not satisfied may filed representation against this order before the Hon.'ble Ombudsman within 60 days from the date of this order at the following address.

Office of the Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606/608, Keshav Bldg.,  
Bandra Kurla Complex,  
Bandra(E), Mumbai-51.