



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

Case No.22/2014

Date of Grievance : 20.08.2014

Date of Order : 17.01.2015

In the matter of releasing agriculture connections.

Complainant

(Herein after referred to as Consumer)

Mr.Santosh Babanrao Thange,
Sadesataranali, Hadapsar
Pune-411028.

Versus

Respondent

(Herein after referred to as Licensee)

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

Quorum

**Chair person
Member Secretary**

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

Appearance

**For Consumer
For Respondent**

**Mr.Santosh Babanrao Thange
Mr.Gedam, Addl.Ex.Engineer
Hadapsar Sub/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 19.07.2014 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., Bundgarden Division, Pune vide letter no.

EE/CGRF/PZ/Notice/22 of 2014/170 dtd.21.08.2014. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 17.12.2014.

- 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 said agriculture land is situated in S.No.195/1A/1, 2, Sadesataranali, Hadapsar, Pune.
 - ii) The said consumer was connected with agriculture connections vide consumer No.1700344776892 in the name of Mr.B.B.Thange.
 - iii) The said consumer is legal representative i.e. son of Mr.B.B.Thange.
 - iv) In the year 2004-2005 MSEDCL handover the MSEDCL area through distribution franchises to C.T. Corporation construction company, and at that time existing overhead line replaced by underground cable by the C.T. Corporation Constn. Co. in that locality.
 - v) The distribution transformer in that areas was shifted to another place.
 - vi) The connections of said consumer was made P.D.(Permanent Disconnection) due to non payment of arrears of bills in Dec.2010.
 - vii) As per CPL of said consumer was in arrears of bills Rs.32,010/-
 - viii) The consumer paid the arrears of Rs.24500/- under Krushi Sanjivani Scheme on 30.12.2011.
 - ix) The said consumer applied for new Agriculture connection on 19.12.2013.
 - x) The Superintending Engineer, MSEDCL sanctioned the estimate for giving Ag. power supply vide No.SE/RPUC/T/DPDC/ND/ BGD/02/14-15/dt.11.6.2014.
 - xi) Accordingly work order was issued to Electrical contractors namely M/s.Das & Brothers Electricals Pvt.Ltd., Pimpri, Pune vide No.SE/RPUC/Tender-8/5775 dtd. 4.9.2014.
- 5) The consumer Mr.Santosh Babanrao Thange was present before the Forum. He submitted that while making the said connection P.D., no any notice was given to him by MSEDCL & therefore he could not applied for reconnection within six months. He made application for new connection in the month of Dec. 2013, however supply was not given to him till today. He submits that he may be given supply from the MSDEDCL lines & not on CT Corporation net work. C.T. Corporation Constn. Co. changed the overhead line to underground cable in 2004-2005 but prior to that he had been supplied with energy since 1987. MSEDCL disconnected his supply at the instance of the said construction company. Therefore he may be reconnected with supply at the earliest.
- 6) On the other hand MSEDCL was presented by Mr.A.K.Gedam, Addl.Exe.Engineer, Hadapsar Sub/dn. He submitted that land of Survey No.195 is acquitted by the C.T.Corporation Co.,(Amnora Park township) The said land

is residential zone therefore in the year 2004-2005 MSEDCL has given the area to them through Distribution franchises & CT Corporation had changed overhead to underground cable. As per CPL, the said consumer was arrears of bills of Rs.32,010/- therefore due to nonpayment by the consumer the said connection was made P.D.in Dec.2010. Thereafter the said consumer applied for new connection in Dec.2013 in the name of Smt.Shankutala Babanrao Thange, thereafter estimate was prepared & same was sanctioned by Superintending Engineer, dated 11.6.2014. the work order for erection of poles & others etc. was assigned to M/s.Das & Brothers Electricals Pvt.Ltd., Pimpri, Pune under "turnkey work" but C.T.Corporation raised the objection of erection of pole etc.

- 7) The following points arise for our determination.
- a) Whether consumer is entitle to get new agricultural connection as prayed?
 - b) Whether consumer is entitle to get compensation?

Our findings to point no. (a) is the affirmative & for point no.(b) in the negative for the reasons stated below.

- 8) It has come & record of Superintending Engineer, sanctioned the estimate as per application of the consumer vide No.SE/RPUC/T/DPDC /NT/ BGD/02/ 14-15 dtd.11.6.2014, the work order for erection of LT poles & others allied work was given to M/s.Das & Brothers Electricals Pvt.Ltd., Pimpri, Pune vide SE/RPUC/Tender-8/5775 dtd. 4.9.2014. The concerned contractor was directed to complete the work at the earliest. It is brought to our notice that the said work was delayed since the C.T. Corporation raised objections for erection of overhead line. Since there proposal is for development of smart city & that their insistence for underground line. If there is such type of objection, it can be settled at the level of concerned division having discussion with the parties. The consumer should not be suffered long time for want of connection. Licensee gets compliance from the consumer at the earliest for releasing supply.
- 9) So far as payment of compensation as claimed by said consumer is concerned, after old connections made P.D. in Dec.2010 for payment of arrears. He waited for 3 years & applied for new connections in Dec.2013. He has not yet made necessary compliance as per Regulations 4.1 of supply code 2005. It is seen that firm quotation is not yet issued & therefore he has not paid necessary quotation fee, therefore he has not entitle to compensation. For the reason we allow the grievance application.
- 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

1. Grievance of consumer is allowed.
2. Licensee to release electric supply to the consumer after getting necessary compliance within one month of this order.
3. Compliance be reported within one month.

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.