



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

Case No.63/2017

Date of Grievance : 23.11.2017

Date of Order : 03.01.2018

M/s. Dharmavat Stone Crusher,
 Prop. Shirish Dharmavat,
 S.No.14/1/3, Yewalewadi,
 Haveli, Pune - 411048.

Complainant

(Herein after referred to as Consumer)

Versus

The Executive Engineer,
 M.S.E.D.C.L.,
 Rastapeth Division,
 Pune -411011.

Respondent

(Herein after referred to as Licensee)

Quorum

Chairperson
Member Secretary

Mr. B.D.Gaikwad
Mrs. B.S.Savant

Appearance

For Consumer

Mr.Devendra Shirish Dharmavat,
 Mr.Kishor B.Dhotre, Representative

For Respondent

Mr.B.B.Thete, AEE, Rastapeth Dn.
 Mr.D.R.Balgude, AEE, St.Marry S/dn.

- 1) The Consumer has filed present Grievance application under regulation no. 6.4 of the MERC (CGRF & Electricity Ombudsman) Regulations 2006.
- 2) Being aggrieved and dissatisfied by the order dated 20th Nov. 2017 passed by IGRC Rastapeth Urban Circle, wherein it is directed to reduce the contract demand after producing all necessary documents.
- 3) The consumer has preferred present grievance containing that the load reduction was not sanction within stipulated period. He also states that

there was no reduction in contract demand within the prescribed period. According to him he did not receive any interest on the security deposit and the officials of MSEDCL did not work properly and did not meet the standard of performance and he prays for compensation as per the regulations. He also claims for the reduction of contract demand and load. According to him he has submitted application but since last 18 months his application was not sanctioned and no relief has given to him. He also prays for taking necessary disciplinary action against the employee of MSEDCL who failed to work properly.

- 4) The papers containing the above grievance were sent by the Forum to the Executive Engineer, M.S.E.D.C.L., Rastapeth Division vide letter no.EE/CGRF/PZ/Notice/63 of 2017/330 dtd. 24.11.2017. Accordingly the Distribution Licensee i.e. MSEDCL filed its reply on 12.12.2017.
- 5) The Licensee in its reply submitted that present consumer is 3 phase Industrial consumer with consumer No.160250292110 having load of 200 HP and 187 KVA contract demand. His being billed under St.Mary Sub-division, Pune. There is no dispute that consumer has applied for reduction of contract demand from 187 KVA to 10 KVA on 8.6.2016. However he has not submitted necessary documents like latest paid electricity bill and ownership documents. The load reduction proposal was sent by St. Marry sub-division. The consumer was informed to submit those documents but he did not submit the same. The consumer again submitted fresh application dated 13.10.2017 for reduction of load from 200 HP to 65 HP and contract demand from 187 KVA to 57 KVA. As per the follow up with St. Marry Sub-division, it was noticed that the consumer or his representative did not produce latest paid electricity bill as well as latest ownership documents. He was asked to submit those documents on 11.8.2016 but he did not produce the same. In continuation to this St. Marry sub-division submitted office note dated 27-10-2017 with verification report dated 20.4.2017 and informed that the electricity connection of said consumer is permanently disconnected in

the month of Feb.2017 as per the written order of Tahsildar Haveli. There were arrears of Rs.16,270/- payable by the consumer. The said fact was informed to the consumer on 3.11.2017 and he was instructed to apply for reconnection of power supply and for sanctioned of load reduction by paying all the arrears. The consumer has accordingly paid the arrears of bills of Rs.16270/- on 9.11.2017. The electric supply of the consumer was then reconnected on 26.11.2017 with the same Meter No. MSB 61561. A ticket has been raised to IT department of MSEDCL to revert the meter in the SAP module for on line PD to live conversion, which is under process. Even the load reduction proposal is processed and sanctioned Rastapeth Division vide its letter dated 12.12.2017. The Licensee therefore submitted that the grievance may be rejected.

- 6) We heard both sides at length and gone through the contentions of the consumer and Licensee as well as the documents placed on record by the parties. In view of the rival contentions of the parties, following points arise for our consideration and we have recorded our findings thereon for the reasons stated herein under.

<u>POINTS</u>	<u>FINDINGS</u>
i) Whether there is failure to meet Standards of performance on the part of Licensee?	No
ii) What order ?	As per final order.

7.

REASONS

As per MERC (Electricity Supply Code and Other Conditions of supply) Regulations, 2005, the Distribution Licensee shall increase or reduce the contract demand/sanctioned load of consumer upon receipt of application for the same from the consumer. The application contemplates duly completed application. In the cases in hand, the

record indicates that the consumer was asked time and again to submit latest electricity bill and ownership documents. It may be noted that it is submitted on behalf of consumer that the consumer is the owned consumer and it was not necessary to submit the ownership documents. We do not agree with this submission because there may be possibility of changing the ownership of stone crusher. In our view said document was necessary and there was no any difficulty for the consumer to submit said document. In our view the application of the consumer for reduction of load was not duly completed application.

- 7) There is no dispute that the initially on 8.6.2016 the consumer has submitted application for reduction of contract demand from 187 KVA to 10 KVA and again submitted application dated 13.10.2017 for reduction of load from 200 HP to 65 HP and contract demand from 187 KVA to 57 KVA. In this case consumer has also changed his applications for reduction of contract demand and was reluctant to submit those documents. The record indicates that he was asked to submit those documents on 05.8.2016 and 11.08.2016. It may be noted that the supply of consumer was permanently disconnected in the month of Feb.2017 as per the directions of Tahasildar Haveli. It is submitted on behalf of the consumer that the said supply was disconnected without any notice to him. In this regard it can be said that when there was written order of Lawful authority like Tahasildar to disconnect the supply, there was no any fault on the Licensee.
- 8) The record shows that consumer was in arrears of bills of Rs.16,217/- and there was permanent disconnection. The consumer was asked to apply for the connection of power supply as well as for reduction of contract demand. It may be noted that he paid arrears of the bill of Rs. 16,270/- only on 9.11.2017 and his supply was reconnected on 26.11.2017 with the same meter. It is right to submitted on behalf of the Licensee that even the request for load reduction is processed and reduction of load from

200 HP to 65 HP and contract demand from 187 KVA to 57 KVA is sanctioned. The consumer representative submitted that the effect of the same is not given in the bills. In this respect it is submitted on behalf of Licensee that the effect of reconnection as well as load reduction will be given as per rules. A ticket has been raised to IT department of the Licensee to revert the meter in SAP module for on line PD to live conversion and the same is under process. Under this circumstances we are in the opinion that there is no any failure to meet the stands of performance on the part of Licensee and so we also above point in the negative and passed following order :

ORDER

1. The Grievance is hereby dismissed.
2. No order as to cost.

Sd/-

B.S.Savant
Member/Secretary
CGRF:PZ:PUNE

Sd/-

B.D.Gaikwad
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.