

REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/125/694

Date:26.11.2018

Hearing Date: 10.08.2018

CASE NO.125/2018

Mr. Shaikh Azhar Mazhar,
H.No. 1669,Gala:1,2nd flr,
Opp. Laxmi Sizing,
Shastri Nagar, New Kaneri
Bhiwnadi-421302.
(CONSUMER NO.13014219051)

. . . . (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution Company Limited
through its Nodal Officer,
TPL, Bhiwandi

. . . . (Hereinafter referred as Licensee)

**Appearance : For Mr. R.R. Beloskar,
Executive Engineer, Bhiwandi,**

Shri. S.K.Dhope, Addl. EE, Bhiwandi

Mrs. Hemangi Mayekar, Assist. Manager, TPL.

For Consumer – Shri. Pravin D. Thakkar Consumer Representative

[Coram- Dr. Satishkumar Jaiswal - Chairperson, Shri. R.S.Avhad -Member
Secretary and Sharmila Ranade - Member (CPO)].

1. Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of
Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as

'MERC'. This Consumer Grievance Redressal Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'. Further the regulation has been made by MERC i.e. Maharashtra Electricity Regulatory Commission. [Electricity Supply Code and other conditions of supply Regulations 2005] Hereinafter referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity.

2. This application is filed by Shri. Shaikha Azhar Mazhar on 18.06.2018 alleging that provide shifting of my electricity connection from 2nd floor to ground floor. Applicant further say that his having 3 phase LT connection. Applicant further submit that during the site survey it was explained to the representative that the service wire cannot be shifted from second floor to ground floor as it is a separate premise. In the said case, consumer is having another service in his name at ground floor where he had shifted his machinery, so he should apply for load extension at the existing service they had filed application before IGRC but IGRC has dismiss has claim as per order dtd. 14.06.2018 as under Vide service No. service No. 13014219051 sanctioned for the load of 20HP at H.No. 1669, 2nd floor, Kalyan Road, Bhiwandi. The applicant states that due to labour problem he has shifted his machinery from second floor to ground floor. The applicant appeals for shifting of the service wire for the said service from second floor to ground floor. The applicant claims that as per the Commercial circular No.224 point no.02, if the consumer request for deviation of existing service line in any other case i.e. can be shifted from second floor to ground floor. Applicant further submitted that the utility has taken objection on the ground that the service wire cannot be shifted from 2nd floor to ground floor as it is a separate premise. They further say that the consumer is having another service in his

name at ground floor where he had shifted his machinery, so he should apply to load extension as the existing service.

3. The provision in law is cash “wherever the consumer request for shifting the meter/ service connection in the existing premises, the premises should be inspected, examine the technical feasibility upon receipt of the application and inform the estimate cost to the consumer within seven days in class 1 cities and urban areas and within fifteen days in rural areas within 15days.” It is observed by IGRC that Circular No.224 is not applicable to this case. The consumer may approach to utility for load extension/shifting of the service line for the service in the existing premises only. Therefore application dismissed.
4. This applicant has come before this CGRF against the order of IGRC this application filed submitted that as per provision in the Hon’ble Govt. Maharashtra Gazette,20.05.2014 and as per provision in Honourable MERC (SOP) Regulation,2014 and as per MSEDCL Circular No.224,dtd.05.03.2014. the provision under Regulation No.2(b) title under SHIFTING OF METER /SERVICE LINES reproduced as under; MERC Regulation No.02(b): if the consumer requests for deviation of existing service- lines in any case other than specified as above should be inspected, examine the technical feasibility upon receipt of application and informed the estimated cost to the consumer within 15-days in class-1 cities after the receipt of the application. The deviation of the existing service –line in any case other than specified above should be completed within one month after payment of necessary charges.
5. Therefore he claims that his application be consider for shifting 1st floor to ground floor and provide compensation for mentally, physically harassment .
6. The notice is issued to utility he has filed their reply dtd.17.07.2018 contending that the consumer having grievance regarding shifting of service line form 2nd floor to ground floor as due to his labor problem he has shifted the machinery from second floor to ground floor. The applicant wants to shift his service wire

form second floor to ground floor. The consumer has quoted MSEDCL commercial Circular No.224 for the same.

7. The further contended that the shifting of the service is possible within the existing premises as per 'Circular 224 whereas in case of the complainant there are two different premises. Hence the commercial Circular 224 is not applicable to the consumer in this scenario.
8. The above facts clearly show the intention of consumer is misleading the Forum by wrong interpretation of guidelines issued by MSEDCL through their circulars. Thus nothing ought to be granted against the utility. It is respectfully requested to your Hon'ble Forum to kindly dismiss the said grievance.
9. I have gone through the contented to the application and reply given by utility I have also gone through the observation made by IGRC and circular No.224 which is read as under "wherever the consumer request for shifting the meter/ service connection in the existing premises, the premises should be inspected, examine the technical feasibility upon receipt of the application and inform the estimate cost to the consumer within seven days in class 1 cities and urban areas and within fifteen days in rural areas after the receipt of an application".
10. Heard both the parties and gone through the Circular No.224 it appears clearly that Circular No.224 has given liberty to change the that existing premises and utility has to inspected examine the technical feasibility upon receipt of application and inform the estimate cost within 7 days to the consumer. Hence in this matter I found that the prayer made by the consumer applicant is according to circular No.224 and his entitled for to shift the line 2nd floor to ground floor. Hence proceed to pass order

ORDER

- i. The case No 125/2018 is hereby allowed.
- ii. The Respondent hereby directed to shift the connection of applicant Ist floor to ground floor as prayed in the application within one

month from receipt of the order on getting compliance of all necessary charges, placement as per rule.

iii. No order as to the cost.

I Agree/Disagree

I Agree/Disagree

**MRS. SHARMILA RANADE,
MEMBER
CGRF, BHANDUP**

**Dr. SANTOSHKUMAR JAISWAL
CHAIRPERSON
CGRF, BHANDUP**

**RAVINDRA S. AVHAD
MEMBER SECRETARY
CGRF, BHANDUP**

The order is issued under the seal of Consumer Grievance Redresses Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

Note:

- a) The consumer if not satisfied, may file representation against this order before the Hon. Ombudsman within 60 days from the date of this order at the following address. " Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission,606, Keshav Building,Bandra - Kurla Complex, Bandra (E),Mumbai - 400 051"
- b) b) consumer, as per section 142 of the Electricity Act, 2003, can approach Hon'ble Maharashtra electricity Regulatory Commission for non- compliance, part compliance or
- c) Delay in compliance of this decision issued under" Maharashtra Electricity Regulatory Commission (consumer Redressed Forum and Ombudsman) Regulation 2003" at the following address:-

"Maharashtra Electricity Regulatory Commission, 13th floor,world Trade Center, Cuffe Parade, Colaba, Mumbai 05"
- d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.