

ग्राहक गा-हाणे निवारण मंच
महाराष्ट्र राज्य विद्युत वितरण कंपनी मर्यादित
औरंगाबाद परिमंडळ,औरंगाबाद.

Old Power House Premises, Dr.Ambedkar Road, Aurangabad. Phone: 0240 - 2336172

No,CGRF/AZ/U / 204 / 2009 / 38 /

Date :-

To,
The Executive Engineer (Administration)
O/O Superintending Engineer ,
O&M Urban Circle , M.S.E.D.C.L.,
Aurangabad.

Sub:- Forwarding of grievance in respect **M/s Ganesh Metal Industries**
K-59,MIDC, Waluj, Aurangabad.(Consumer no. 49001190235)

Dear Sir,

Please find enclosed herewith a copy of the grievance application received by the Forum from Forwarding of grievance in respect **M/s M/s Ganesh Metal Industries K-59,MIDC, Waluj, Aurangabad.**

You are requested to submit your para wise reply on the grievance within 15 days from the date of receipt of this letter along with related documents.

The hearing in this matter is kept on **21/04/2009 at 12=45 Hrs.**

Encl: As above

Member/Secretary
CGRF(AZ) MSEDCL
Aurangabad.

Copy to:-
M/s Ganesh Metal Industries
K-59,MIDC, Waluj,
Aurangabad.

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM ,
AURANGABAD ZONE, AURANGABAD**

Case No. CGRF/AZ/AUR/ U /204 / 2009/ 38

Date of Filing: 06.04.2009

Date of Decision: 05.06.2009

**M/s Ganesh Metal Industries
Plot NO. K-59, MIDC, Waluj
Aurangabad.**

Consumer Complainant.

V/s

**Maharashtra State Electricity Distribution Co.Ltd.
Urban Circle, Aurangabad.**

Corum:	Shri V.A.Hambire	President
	Shri H.A.Kapadia	Member
	Shri P.A.Sagne	Member/Secretary

**Sub: Grievance under the Maharashtra Electricity
Regulatory Commission, (Consumer Grievance
Redressal Forum and Ombudsman) Regulations 2006.**

The consumer complainant Shri Pankaj Walsekar , Proprietor of M/S Ganesh Metal Industries has filed this grievance in Annexure "A" before this Forum on **06.04.09**, under Regulation No. 6.10 of the Regulations 2006. The grievance of the consumer was registered in this office at Sr. No. 204/2009/38 and was forwarded to the Nodal Officer, (Adm.) in the office of the Superintending Engineer, O&M Urban Circle, Aurangabad and hearing in the matter was kept on 21/04/2009

“2”

The grievance of the consumer, in brief, as per consumer, is as stated below..

1. The consumer has purchased the property situated at plot No. K- 59, MIDC, Waluj from The Mahanagar Coop.Bank Ltd. Mumbai on tender basis. He has submitted his application for transfer of plot in his name to MIDC authority Aurangabad which is pending.. The consumer contended that he has submitted an application for 67 HP load for his factory to Distribution Licensee (hereinafter referred to as D.L.) . and the same was sanctioned by the concerned office of the D.L..He has also paid Rs. 61270/ towards service connection charges , deposit etc. as per demand note raised by D.L. vide quotation No. 151 dt. 20.11.08. The consumer further contended that as the matter of transfer of plot is pending at head office level of MIDC, the D.L. is not releasing the connection due to non production of transfer letter from MIDC. He therefore filed this complaint in the Forum and requested the Forum to direct the D.L. to release the connection .
2. On 21.04.09, i.e. on the date of first hearing , consumer Shri walsekar present. Nodal officer Shri G.S.Rathore was present on behalf of D.L.. He filed his reply on the grievance of the consumer and stated that since consumer has not produced NOC from MIDC authority ,connection could not be released. Consumer during hearing stated that he is ready to give undertaking for production of NOC from MIDC within six month. On questioning the Nodal officer about provisions available in such issues, Nodal officer stated that he will submit such provisions, if available , before the next hearing. The next hearing was therefore fixed on 28.4.09.
3. On 28.4.09, both parties were present. Nodal officer could not produce any provisions available about releasing power supply by collecting undertaking or Indemnity bond. . Consumer again expressed his willingness to produce the undertaking / indemnity bond . Nodal officer was directed to make correspondence with MIDC authority for confirmation of reason for delay in releasing transfer letter/ NOC. Next date of hearing was kept on 08.05.09.

3. On 8.5.09, both parties were present. Nodal officer stated that as he has to attend meeting at Mumbai office, he could make any correspondence with MIDC authority as directed by Forum during last hearing. Forum directed consumer to file his correspondence with MIDC . The next date of hearing was kept on 12.5.09.
4. On 12.5.09, both parties were present. Consumer filed copies of correspondence letters with MIDC. Nodal officer again stated that he has not made any correspondence with MIDC authority to confirm the status of transfer issue. The matter was therefore kept for decision.
5. On going through the record placed before us by both the parties, we observed that consumer has purchased plot bearing No.K- 59 MIDC Waluj, Aurangabad from The Mahanagar Coop.Bank Ltd. Mumbai on tender basis. He applied for transfer of said plot in his name to local authority of MIDC who forwarded the same to its Mumbai office for approval and the same is pending for approval. The consumer meantime by giving undertaking for producing NOC from MIDC , applied for power connection to D.L. and paid the amount as demanded by D.L. vide firm quotation No. 151dt 20.11.08. The D.L. after accepting the payment refused to release the connection to consumer due to non production of NOC from MIDC authority. The Nodal officer, during the hearing was directed to make correspondence with MIDC authority for knowing correct status of consumers application for transfer of plot , however Nodal officer fail to make correspondence with MIDC authority nor could produce any circular, provisions to release the power supply in such situation. Consumer, on other hand , shown his willingness to produce undertaking/ indemnity bond stating that his supply shall be disconnected if he fails to produce the NOC from MIDC authority within six months. On going through the commercial circular code of D.L. Forum observed that as per commercial circular No. 1.13.0 (page -31) of Commercial Code of Instruction(1996) , in view to promote industries , provision is made to release the electric supply to consumers by taking undertaking/ indemnity bond incase of non submission of any required document. It has been observed that industrial consumers are required to produce various No objection certificates/ registration certificates from Government organizations for obtaining power supply . In absence of any such documents and in view to promote the industrial sector, D.L. has extended this facility to consumers of availing electricity supply by producing undertaking or indemnity bond. The D.L., in its above mentioned circular has also

provided the Format of indemnity bond to be produced by the consumer.

In view of above observations, we are of the opinion that D.L. shall release the power supply to the consumer by obtaining the indemnity bond from the consumer clearly mentioning the period for submission of required document.

ORDER

- 1. The Consumer is directed to submit the indemnity bond in prescribed format as mentioned in the referred circular and the D.L. is directed to release the electricity supply to the consumer within 15 days from the date of receipt of the indemnity bond.**
- 2. The Distribution licensee is at liberty to disconnect the electricity supply incase consumer fails to produce the transfer certificate from MIDC authority within six months.**

The D.L. and the consumer shall comply with the above order and report compliance to the Forum.

Inform the parties and close the case.

(H.A.Kapadia)
Member

(P.A.Sagane)
Member/Secretary

(V.A.Hambire)
Chairman

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औरंगाबाद परिमंडळ औरंगाबाद.

जुने पावर हाऊस, पोलीस आयुक्तालयासमोर, डॉ.बाबासाहेब आंबेडकर रोड, औरंगाबाद.-

To,

1. The Executive Engineer (Adm.)
O/O Superintending Engineer
O & M , Urban Circle, M.S.E.D.C.L.
Aurangabad.
2. M/S Ganesh Metal Industries
Plot No.K-59, MIDC, Waluj
Aurangabad

Subject :- Grievance Case No.CGRF/AZ/AUR/U/204/2009/38

Dear Sir,

Please find enclosed herewith a copy of order passed by the Forum in the case mentioned above.

I The consumer, if not satisfied with the decision of the Forum ,
is at liberty to make a representation to the Electricity Ombudsman,
The contact details of whom is as under, within a period of 60 days
from the date of this order.

Encl: As above

Copy submitted w.r.to:-
The Chief Engineer(AZ),A'bad.

Member/Secretary,
CGRF(AZ) MSEDCL,

Contact Details of Electricity Ombudsman:
The Electricity Ombudsman
Maharashtra Electricity Regulatory Commission
606-608, Keshava Building Bandra-Kurla Complex,
Mumbai 400 051 (Tel.No. 022-26590339)

