

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/AUR/ U / 235 / 2009 / 69

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 of Principal, Vivekanand
College ,Samarthnagar, Aurangabad.
(Consumer No.490010461275)

Dear Sir,

Please find enclosed herewith a copy of the grievance
application received by the Forum from Principle, Vivekanand College,
Samarthnagar, Aurangaabd.

You are requested to submit your para wise reply on the grievance
at the time of hearing. The hearing in the matter will be held on
24.07.2009 at 11= 30 Hrs. onwards.

Encl: As above

Member/Secretary
CGRF(AZ) MSEDCL
Aurangabad.

Copy to:-
The Principal
Vivekanand College
Samarthnagar,Aurangabad.

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM ,
AURANGABAD ZONE, AURANGABAD

Case No. CGRF/AZ/AUR/U /235/ 2009/69

Date of Filing: 09.07.2009

Date of Decision: 31.07.2009

The Principal
Vivekanand College
Samarthnagar
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 has filed this grievance through its president in Annexure "A" before this Forum on 09.07.09 under Regulation No. 6.10 of the Regulations 2006. The grievance of the consumer was registered in this office at Sr.No. 235/2009/69 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 24.07.09

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

1. The consumer has taken electricity supply for college building situated at above mentioned address. The Distribution Licensee has erected transformer, D.P. structure and high tension and low tension over head lines in its premises from which the supply has been given to college building and also to outside shops and other premises . The consumer in its grievance stated that the wires laid in the premises are loose and due to D.P. structure and distribution box placed in front of main gate , they have to kept the main gate permantantly closed . The consumer further stated there are every possibility of students meeting electrical accident due to unhealthy electrical installation. The consumer further contended that , he has brought this situation in the notice of the Executive Engineer, Urban Division vide his letter 7.10.08 and requested him to take necessary action. However since no cognizance of his application was taken by the D.L. he filed this grievance in the Forum and requested the Forum to direct the D.L. to shift the open wires and D.P. structure at proper location and to take necessary measures to insure safety to the students.
2. On 2.07.08, i.e. on the date of first hearing, consumer representative Shri Bhausahab Bhonsle was present. Nodal officer Shri Rathore alongwith shri Suralkar, Dy. Ex. Engineer Power House sub division was present on behalf of D.L. He filed his reply and stated that electrical installation at the premises of the consumer is safe and all the equipments are in good conditions. He further stated that there is no danger to the students or vehicles. However he showed his readiness to provide fencing to the D.P. structure. The consumer strongly objected to the reply and stated that the HT and LT wires are lying loose on the main gate and there are every chances of electrical accident. On hearing both the parties Forum decided to inspect the premises on 28.07.09 at 11.00 hrs. The next hearing in the matter was kept on 28.07.09.
3. On 28.07.09, Forum , in presence of Nodal officer and consumer representative , visited the premises of the consumer and prepared inspection report , copy of which was handed over to consumer and Nodal officer for filing further say in the matter. Both parties were directed to file their say before 31.7.09 and the matter was kept for decision.

4. On going through the documents placed before the Forum and after carrying out the inspection of electrical installation in the premises of the consumer on 28.07.09, we observed that, the D.L. has erected two pole structure , transformer , Distribution box in the college premises of consumer. LT supply to the consumer as well as to all other consumers has been given from the same transformer through distribution box and LT cables. This clearly reveals that the double pole structure, .transformer , LT Distribution box etc has been erected by D.L. in the premises of the consumer. Both parties were unable to produce any agreement or document about providing or utilizing private place for common distribution purpose. During the site visit on 28.07.09, Forum further observed that the incoming 11kv overhead line and LT lines are loosely strung and are passing over the main entrance gate of the college. There is no proper clearance observed between the top surface of the gate and the L.T.line. Shri Suralkar, Dy.Ex. Engineer stated that the Distribution box and mini pillar were replaced under Drum project scheme presently operated by D.L. for improvement in the distribution network. Shri Solunke, principal of the college, stated that the work of replacement of Distribution box, laying of underground cable in place of overhead lines , fixing of fencing were started but was stopped after replacement of distribution box only. He further stated that @ 10000 students are studying in his college and it is very difficult to control their movement near the transformer area and there are every chance of anybody meeting accident due to unsafe electrical installation of the D.L. in their premises. He further stated that D.L. has erected its installation in the premises without paying any consideration and has carried out part work only i.e. the work of replacement of distribution box. He also assured to provide alternate land for erection of double pole, distribution box etc. without demanding any consideration.

In view of above observations, we are of the opinion that the transformer, two pole structure , Distribution box, HT/LT lines etc are installed by D.L. in the premises of the consumer for providing supply to all other consumers in that area. It is prime duty of D.L. to maintain the installation in healthy condition and to ensure safety . It is pertinent to note that the consumer has given his premises for erection of electrical network of D.L. without any consideration and now requesting the D.L. to restructure and maintain it properly. The Nodal officer accepted that partial work has been carried out carried by him but did not gave any justification about the delay in completing balance work.

The low tension lines laid over the main gate is in very much dangerous position and required to be replace by providing insulated cable immediately. Further the cables laid near the distribution box and mini pillar are required to be laid properly by making proper trench. In addition to above proper fencing is also required to be provided to the transformer to avoid any electrical accident.

Forum further observed that the I.E.59(2) of 1956 provides every distribution licensee to take necessary measures for preventing any electrical accident and to ensure safe electrical installation. Hon'ble M.E.R.C. order in case No.27 /2003 has also passed a similar order in this regards.

We are therefore of the view that D.L. shall take all necessary measures and precautions to maintain its electrical installations in good condition and take necessary measures to prevent any electrical accident. Failure to act accordingly , the Distribution licensee will have to be held responsible for any electrical accidents that may result due to their unhealthy electrical installation at the consumer's premises.

Hence following order.

ORDER

1. The Distribution licensee is directed to provide insulated cable For low tension lines loosely strung over the main gate, to provide fencing to the transformer and to restructure the LT cables in proper trench as per I.E. rule and to take all necessary measures to prevent any electrical accident in the premises of the consumer within 30 days.

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

