

**Consumer Grievance Redressal Forum  
Maharashtra State Electricity Distribution Co. Ltd.  
Bhandup Urban Zone, Bhandup**

Ref. No. Member Secretary/MSEDCL/CGRF/BNDUZ/

Date :

Case No.540

Hearing Dt. 17/06/2014

M/s. Bhiki Developers - Applicant

Vs.

M.S.E.D.C.Ltd., Bhingari Sub Division - Respondent

Present on behalf category

A - On behalf of CGRF, Bhandup

- 1) Shri S.K. Chaudhari, Chairman, CGRF Bhandup.
- 2) Shri. Z.B.Khan, Member Secretary
- 3) Dr. Smt. Sabnis, Member, CGRF, Bhandup.

B - On behalf of Appellant

- 1) Shri. Haresh R. Shah - Consumer
- 2) Shri. Ravindra A. Mane

C - On behalf of Respondent

- 1) Shri. S.M.Ghaytadak, Dy. Executive Engineer, Panvel-I, sub division.

**ORDER**

The consumer M/s Bhiki Developers and Builders, at plot no. 19, Sector 1, Karanjade, Tal Panvel, Dist Raigad has filed this complaint before us, praying seeking directions to the utility to release Temporary Connection immediately.

The facts stated in his application are as follows:

- a. The consumer had applied for a temporary connection on Non-DDF basis of 3 PH, 8 KW vide his application no. 4571407 dated 06/12/2013.

- b. This application was sent to JE Pargaon for technical feasibility report on 09/12/2013.
- c. The JE Pargaon submitted his technical feasibility report on 06/02/2014 that there is no network available for this connection.
- d. The utility gave letter (no. DyEE/Pnl/439) to the consumer on 14/02/2014 for his consent for paying 1.3% Supervision Charges for giving Temporary Connection.
- e. Till today the utility has not given any connection to the consumer.
- f. The consumer had approached IGRC, which passed an order as:
  - Since there is no infrastructure to provide temporary connection, as per MERC Regulations 3.3.6, utility is authorized to recover all expenses reasonably incurred for the purpose of giving such temporary supply.
  - Consumer has to submit 'Consent' as per his choice in between above three options and submit to sub-division office.

Aggrieved by this order, the consumer has approached this Forum.

On receipt of this complaint, a notice was sent the Utility, and accordingly, the Utility remained present through the representative and filed a written say. As per the say of the Utility:

Circular 22197 dated 20/05/2008 of Mahavitran has given guideline for non DDF connection where load is less than 500 KVA that in this case consumer has to bear the expenses on creation of infrastructure (except cost of the land) and some should be refunded to him the consumer through the energy bills.

Thus whether the land is to be kept reserved by CIDCO or by this consumer has no bearing on this case, (since the cost of land is not to be paid by the consumer).

We therefore direct the utility to give non DDF temporary connection to this consumer within one week from receipt of this order, on payment of 1.3% supervision charges. The said charges to be refunded to the consumer in his energy bills.

The MERC (Electricity Supply Code and other Conditions of Supply) Regulations has given guide lines for the new connection vide 4.3 as- “The Distribution License shall complete the inspection of the premises related to an application for supply of electricity not later than seven (7) days from the date of submission of such application for supply in Class I cities and Urban Areas and within ten (10) days from date of submission of such application for supply of electricity in Rural Areas, regardless of whether such application is deemed to be complete under Regulation 4.2.”

It is crystal clear in this case that 4.3 was not complied with by the utility. We therefore direct the utility to take stringent action against the erring person in this regard.

### **ORDER**

#### **ORDER**

- 1) Compliant No. 540 is partly allowed
- 2) The utility to give non DDF temporary connection to this consumer within one week from receipt of this order consumer is directed to pay 1.3% supervision charges.
- 3) The supervision charges to refunded to be consumer in his energy bills.
- 4) Utility is directed to take stringent action against the erring Engineer.
- 5) Utility directed to file compliance report before this Forum within one month.

No order as to cost.

Both the parties should be informed accordingly.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup on 19<sup>th</sup> July 2014.

Note:

1) If Consumer is not satisfied with the decision, he may file representative within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman

The Electricity Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606, Keshav Building,  
Bandra - Kurla Complex, Bandra (E),  
Mumbai - 400 051

2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

**DR. ARCHANA SABNIS**  
**MEMBER**  
**CGRF, BHANDUP**

**S. K. CHOUDHARY**  
**CHAIRMAN**  
**CGRF, BHANDUP**

**ZAFAR B.KHAN**  
**MEMBER SECRETARY**  
**CGRF, BHANDUP**

