

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

Ref. No. Secretary/MSEDCL/CGRF/BNDUZ/
Case No. 353

Date :
Hearing Dt. 15/12/2010

In the matter of restoration of power supply

Shri Dattaram Gopal Patil - Applicant
Vs.
MSEDCL Uran S/Dn. - Opponent

Present during the hearing

A] - On behalf of CGRF, Bhandup

- 1) Shri R.M Chavan, Member Secretary, CGRF, Bhandup.
- 2) Mrs. Manik P. Datar, Member, CGRF, Bhandup.

B] - On behalf of Appellant
Shri Dattaram Gopal Patil - Applicant.

C] - On behalf of Respondent
Absent

Preamble

Shri Dattaram Gopal Patil is a single phase residential consumer under consumer no. 025540005152 at Mulekhand Karanja, Uran Dist. Raigad with the sanctioned and connected load of 0.2 kw. On dtd. 05/12/2007 Shri Dattaram G. Patil

(hereafter will referred as to the applicant) registered his complaint to the area Jr. Engr., Office for burnt service wire and requested to replace the same and restored his power supply. The Applicant is paying regular bills what he was receiving on minimum basis. He was in regular follow up for getting his service wire replaced & restoration of power supply but utility fails to restored his supply and did not taken any cognizance and aggrieved of this he approached to this Forum and accordingly his grievance was registered vide case no. 353 and hearing was fixed on 15/12/2010

Applicant Say: -

The Applicant {in this case consumer} Mr. Dattaram G. Patil himself elaborate the facts as under :

He is having single phase residential electric connection at Mulekhand Karanja, Tal. Uran Dist. Raigad. On dtd. 05th of Dec. 2007 his supply was discontinued due to burning of service wire which was extended from nearby electric pole to his electric meter. He placed the written complaint to the Jr. Engineer of the area who endorsed with the reason that service wire is not available for the replacement. In absence of the electric supply he could not rent out the house and leads to the loss of around ` 72,000/- for a period of 3 years i.e. from Dec.2007 to Dec. 2010.

In the mean time he was paying all regular electric bills and was continuous in follow up to get the supply restored but the concerned area incharge do not respond and hence approach to the Executive Engineer, Panvel (U) Division, who directed th Jr. Engineer of concerned area to get complaint resolved but again futile.

He therefore find no other alternative than to approach Consumer Redresal Forum.

The prayer of the Applicant:

- 1) Direct the concerned to restore his power supply.
- 2) Replace his burnt service wire.
- 3) Award compensation for not observing the S.O.P.
- 4) Compensation for loss of 3 years rent for ` 72,000/- (` seventy two thousand only)

Utility Say :-

On behalf of utility neither representative was present to represent the case nor any say was submitted to the Forum.

Observation :-

The matter was heard on 15/12/2010, only the Applicant was present for hearing. The Nodal Officer of the Vashi Circle had instructed to the Executive Engineer (O&M) Division, Panvle about the submission of say, but it remain futile. The submission by the Applicant and his arguments during the hearing reveal that the utility has failed to provide the new service wire in place of burnt for three years and thereby restoration of supply. It was the duty of utility as per MERC (Electricity Supply Code and other Conditions of Supply) Regulations 2005, therein Appendix A under the title "*Level of compensation payable to the consumer for failure to meet Standards of Performance*" to restore the power supply within 24 hours from the date of receipt of complaint in the town and urban area and in 48 hrs. in rural areas.

In the present case consumer is paying regular minimum charges which he received through the electricity bills from the utility. Hence there was no question of disconnection of supply due to arrears. The supply was discontinued due to burning of service wire which was brought to the notice to the concerned area Junior Engineer vide Applicant's letter dtd. 05/12/2007. It is also observed from the same letter, the representative of the utility endorsed his remark (in the Marathi language) that "as on today service wire is not available".

Forum feels that as per the above Regulations it was the duty of the opponent to restore the power supply within 24 hours from the date of receipt of complaint from the Applicant being the area falls in Town/Cities. The unavailability of materials could not be the excuse to escape from the duties towards the consumer.

Forum, therefore come to the conclusion that the consumer should be compensated for not observing the S.O.P. laid down by MERC in respect of restoration of power supply within the time limit. In the present case, the Co Applicant consumer had approached with the complaint on 07/12/2007 and the complaint should have been attended within 24 hrs. i.e. on 08/12/2007 which utility failed to observe and hence Forum inclined to award the compensation as per S.O.P. at the rate of ` 100/- per week for the entire period of three years from 08/12/2007 till restoration of supply.

The Applicant has claimed ` 72,000/- towards the loss of rent of the said premises due to non availability of electric supply. But no details have been

furnished, nor the issue was specifically explained or argued during the hearing. There is nothing on record to justify for seeking any compensation. Prayer in this behalf, therefore deserve to be and hereby rejected.

ORDER

- 1) The opponent should pay the compensation for non maintaining the standard of performance in restoration of Applicant's power supply from 08/12/2007 till the restoration of supply at the rate of ` 100/- per week.
- 2) The supply of the consumer should be restored by replacing the burnt service wire immediately.

The compliance should be reported to this Forum within 60 days after receipt of this order.

No orders 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 12th of January 2011.

Note : 1) If Consumer is not satisfied with the decision, he may go in appeal 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 go in appeal before the Hon. High Court within 60 days from receipt of the order.

MRS. M.P. DATAR
MEMBER
CGRF, BHANDUP

R.M. CHAVAN
MEMBER SECRETARY
CGRF, BHANDUP