



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph: – 2210707 & 2328283 Ext: - 122

IN THE MATTER OF GRIEVANCE NO.K/I/002/0102 OF 07-08
OF SHRI MADHUKAR TUKARAM PATIL REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN
ZONE, KALYAN ABOUT INTERPUTION OF SUPPLY.

Shri Madhukar Tukaram Patil,
102, Kedar Ling C H S

(Here in after
referred to

At Ris, Post Mohopada

as consumer)

Tal: Khalapur, Dist Raigad 410222.

Versus

Maharashtra State Electricity Distribution
Company Limited through its Deputy
Executive Engineer Panvel II Sub Division
Panvel 410206

(Here in after
referred to
as licensee)

- 1) Consumer Grievance Redressal Forum has been established under regulation of "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum &

Ombudsman) Regulation 2006” to redress the grievances of consumers. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conferred on it by section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2) The consumer is a L.T. consumer of the licensee connected to their 415-volt network. Consumer is billed as per residential tariff. The consumer registered grievance with the Forum on 15/05/07.

The details are as follows: -

Name of the consumer: - Shri Madhukar Tukaram Patil.

Consumer No: - 031220015681

Reason of dispute:- Interruption of supply from 23.45 hrs on 5/10/06 to 24.00 on 9/10/06.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No 968 dated 15/05/2007 to Nodal Officer of licensee. The letter, however, remained unreplied.
- 4) All three members of the Forum heard both the parties on 4/06/07. Shri Madhukar Tukaram Patil, Shri Anand P Vidhvans representing consumer and Shri V. H. Kasal Junior Engineer representing licensee attended hearing on 04/06/2007.
- 5) Shri Patil in his grievance application made submission that electric installation of his premises is connected to the network
- 6) of 200 KVA Motdhari Society Riss distribution transformer. The breakdown of this transformer occurred @ 23.45 hours on 5/10/06 & electric supply to his premises went off at the same time. On his application of 7/10/06 & verbal complaint Junior

Engineer Mohopada assured him of restoration of supply by 8/10/06. Again on 9/10/06 he gave a written complaint to Junior Engineer Mohopada for immediate restoration of supply. The electric supply to his premises was restored @ 24.00 hours on 9/10/06 after replacement of above said distribution transformer. He further made submission that an application dated 11/10/06 addressed to Junior Engineer Mohopada for giving compensation as per MERC orders was delivered on 13/10/06 to Junior Engineer Mohopada, Deputy Executive Engineer (R) Panvel & Internal Grievance Redressal Cell of licensee but no action was taken.

- 7) Shri Patil also submitted in his grievance application that on his application made to collector Raigadh, Alibaug on 6/10/06 vide token No. 24, he received routine reply from Superintending Engineer Pen vide letter dated 28/02/07 expressing regret for inconvenience caused to him due to no supply during the period from 23.45 hours on 5/10/06 to 24.00 hours on 9/10/06. He made an application to licensee on 8/01/07 under "Right to Information Act" & received reply from Public Relation Officer of licensee vide letter dated 6/02/07 expressing regret for delay in restoration of supply due to immediate non availability of transformer.
- 8) Shri Kasal agreed that the date & time mentioned by consumer in his application for breakdown & restoration of supply due to failure of distribution transformer & its replacement is correct.

Supply break down on 5/10/06 @ 23.45 hrs

Supply restoration on 9/10/2006 @ 24.00 hrs

- 9) Shri Kasal said that the consumer's installation was connected to the network of 200 KVA Motdhari Society Riss distribution transformer. The breakdown of supply to consumer's installation was due to failure of this distribution transformer.
- 10) He said that failure of distribution transformer was due to heavy rain & lightning on 5/10/06. There were number of failures of distribution transformers at a time & it was not possible to restore supply within 48 hours due to immediate non availability of transformers. The circumstances were beyond control of licensee. Attempts were made to restore supply as soon as transformer was made available.
- 11) Shri Vidhvans said licensee failed to maintain the standards of performance specified in "Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005" & as such licensee is liable to make payment of compensation to consumer under the provisions of these Regulations.
- 12) From the chain of events narrated above Forum observed that due to failure of distribution transformer consumer's premises was without electric supply for 96.15 hours (from 23.45 hours on 5/10/06 to 24.00 hours on 9/10/06). The breakdown of distribution transformer occurred at 23.45 hours on 5/10/06 & the said distribution transformer was replaced by new distribution transformer & it was put in service at 24.00 hours on 9/10/06. The reason given by licensee in reply to consumer's letters & by

licensee's representative during hearing is not at all convincing. Licensee had indeed failed in maintaining standard of performance mentioned in "Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005"

13) Now we proceed to decide grievance for delay in restoration of electric supply. Maharashtra Electricity Regulatory Commission notified "Maharashtra Electricity Regulatory Commission (Standard of Performance of Distribution Licensee, Period for Giving Supply and Determination of Compensation) Regulation, 2005" on 20th January 2005 (called SOP). As per item 2 (iii) of Appendix "A" of Regulation 12.1 of the above said SOP, time period for restoration of supply in case of failure of distribution transformer in rural areas is 48 hours. The Forum, therefore, is of the opinion that compensation as per column 3 of item 2 (iii) of table of Appendix "A" of Regulation 12.1 of SOP, at Rs 50/- per hour or part thereof of delay is payable to the consumer by the licensee. Thus compensation for delay of more than 48 hours and less than 49 hours (total no supply period is 96.15 hours minus 48 hours period permitted in SOP for restoration of supply) works out to be $\text{Rs } 50/- \times 49 = \text{Rs } 2450$ & is payable to the consumer by the licensee.

O-R-D-E-R

- 1) Licensee should pay Rupees Two thousand four hundred fifty (Rs 2450/-) only as compensation to consumer within ninety days from the date of this order for delay of more than 48 hours four & less than 49 hours in restoring electric supply of consumer's premises.
- 2) Consumer can file appeal against this decision with the Ombudsman at the following address.

Maharastra Electricity Regulatory Commission, 606/608,
Keshav Building, Bandra Kurla Complex, Mumbai 51

Appeal can be filed within 60 days from the date of this order.

- 3) Consumer, as per section 142 of Indian Electricity Act 2003, can approach Maharashtra Electricity Regulatory Commission at the following address

Maharastra Electricity Regulatory Commission,
13th floor, World Trade Centre, Cuffe Parade, Colaba, 400005.

for non-compliance, part compliance or delay in compliance of this decision issued under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressed Forum & Ombudsman) Regulation 2006"

Date: - 04/06/2007

(Sau V. V. Kelkar)

(I. Q. Najam)

Member
CGRF Kalyan

Chair person
CGRF Kalyan

(D. B. Nitnaware)
Member Secretary
CGRF Kalyan