



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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IN THE MATTER OF GRIEVANCE NO. K/N/063/545 OF 2009-2010 OF SHRI DHONDURAM BHAGOJI MALAP, NALLASOPARA (EAST) REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT NEW CONNECTION.

Shri Dhonduram Bhagoji Malap
A/18, Sidhivinayak Apartment,
Moregaon, Near Shivmandir,
Virar Road, Nallasopara (East) : 401 209

(Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its Dy. Executive
Engineer, Nallasopara East Sub/Division

(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 (MERC) 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 applicant registered grievance with the Forum on 15/12/2010 regarding the New Connections. The details are as follows: -
Name of the consumer : Shri Dhonduram Bhagoji Malap
Address: - As above
Consumer No : --
Reason for Dispute : - Regarding New Connections
- 3). The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/0915, dt. 16/12/2010 to the Nodal Officer of the Licensee, and the Licensee through their Dy. Ex. Engr. Nallasopara East Sub/Dn. filed reply vide letter No. Nil, dt. Nil.
- 4) The Members of the forum heard both the parties at length on 07/02/2011 in the meeting hall of the Forum's office. Shri Girish Patel, Shri Ramchand Pandye Consumer Representatives, Shri Nitin Pewekar, Dy. Ex. Engr. Representative of the licensee, attended hearing. Minutes of the hearing including the submissions made by the parties are recorded and the same are kept in the record. Submissions made by the parties in respect of grievance since already recorded will be referred to avoid repetition.
- 5). The complaint in brief is as follows :
 - a) That one Shri Dhonduram Bhagoji Malap who is residing at A/18, Siddhivinayak Apartment, Near Shiv Mandir, Moregaon, Tal : Vasai, Dist : Thane has applied to the licensee for new L. T. connection for his residence on 18/01/2010.
 - b) The applicant further states that licensee had issued Firm Quotation on 20/01/2010 and accordingly he paid the amount as per quotation on 10/03/2010.

- c) The grievance of the applicant is that though he has completed all the formalities the new connection is not released by the licensee till the date. The applicant therefore approached I.G.R. Cell. However, his claim was rejected and the Nodal Officer by letter dated 19/06/2010 informed him that connection will be released after 12 months only by installing a new transformer and new 22/0.433 KV Distribution Transformer Centre.
- 6) Felling aggrieved by the I.G.R.C. decision he approached the Forum seeking following relief :
 - a) Licensee be directed to release the new connection immediately as prayed.
- 7) Accordingly notice was issued by the Forum to the licensee who appeared before the Forum and stated that :
 - a) The existing load on nearest DTC 315 KVA is 500 Amps.
 - b) The existing DTC is loaded beyond 100% (i.e. 420 Amps).
 - c) New DTC is already proposed two years back vide letter No. 1634, dt. 18/11/2008 to meet the additional demand.
 - d) Details of proposed estimate submitted to the higher authority vide DYEE/NSP/E/Tech/1634, dt. 18/11/2008 for 200 KVA additional Dist. Transformer.
 - e) If the connection is given on the existing transformer, frequent trippings and such other interruptions will cause severe damages to the equipments / appliances.
 - f) They have already informed to the applicant vide their letter No. 1431, dt. 07/07/2010 that his application is under process and have given an option for DDF or Non DDF Scheme. But according to the licensee the applicant has not responded till the date.

- 8) We have gone through the record placed before us and the contentions made by both the parties and the short point that arise for our consideration :
 - a) The contention of the applicant that there is no need of installation of a new Sub-Station. New connection can be released by increasing the capacity of the old transformer nearby his house is vague as not supported by any evidence.
 - b) Further the contention of the applicant that additional connections are already released on the same DTC by the licensee is also vague unless supported by any evidence.
 - c) We also feel that though it is the right of the applicant to get the electricity, it should not be hazardous to the life and property.
 - d) Hence it is relevant to take note of the submission of the licensee that new connection cannot be released on the existing transformer and new connection can be released by the licensee only after the installation of new DTC / Sub-Station.
- 9) Considering all the above observations we are of the opinion that licensee is liable to release the new connection to the applicant as per Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period or Giving Supply and Determination of Compensation) Regulations, 2005, Section 4 (4.6) within one year from the date of Tax Receipt which is on the record (i.e. 15/09/2010).
- 10) Since large number of cases filed by the consumers from Vasai Circle this Forum was busy with those cases, in addition to this members of the Forum had to hold sittings at Vasai also, therefore delay is caused in deciding this case. We therefore unanimously pass the following order :

ORDER

- 1) Grievance application stands dismissed.
- 2) Licensee is directed to release the new connection to the applicant at the address mentioned above, within one year from 15/09/2010 as per the Regulation 2005 and compliance be reported to the Forum.
- 3) The Consumer can file representation against this decision with the Ombudsman at the following address.

“Office of the Electricity Ombudsman, Maharashtra Electricity Regulatory Commission, 606/608, Keshav Bldg, Bandra Kurla Complex, Mumbai 51”

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

- 4) Consumer, as per section 142 of the Electricity Act, 2003, can approach Maharashtra Electricity Regulatory Commission at the following address:-
“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

for non-compliance, part compliance or delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” within 60 days from the date of this order.

Date : 21/02/2011

(Mrs. S.A. Jamdar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan