



Consumer Grievance Redressal Forum, Kalyan Zone

Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301

Ph- 2210707, Fax - 2210707, E-mail : cgrfkalyan@mahadiscom.in

No. **K/Others/08/1117 of 2015-16**

Date of Grievance : 24/08/2015

Date of order : 09/11/2016

Total days : 444

IN THE MATTER CASE OF GRIEVANCE NO. K/OTHERS/08/1117/2015-16 IN RESPECT OF RAM KRIPALDAS CHANDNANI, NEAR GANGA JAMUNA SOCIETY, ULHASNAGAR-03. DISTRICT THANE, REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN REGARDING REFUND OF LT INFRASTRUCTURE COST & METERING COST.

Ram Kripaldas Chandani,
Near Ganga Jamuna Society,
Ulhasnagar-3,
Dist. Thane
(Consumer 0215148331545)

.... (Hereinafter referred as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited
through its Nodal Officer,
MSEDCL, Kalyan Circle-II, Kalyan

..... (Hereinafter referred as Licensee)

Appearance : - For Licensee : Shri D.B.Pawar - AEE, Ulhas -V S/Dn.
For Consumer- Shri Rajput - CR.

[Coram- Shri A.M.Garde-Chirperson, Shri L.N.Bade-Member Secretary and
Mrs.S.A.Jamdar- Member (CPO)]

Maharashtra Electricity Regulatory Commission, is, constituted
u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of
brevity referred as 'MERC'. This Consumer Grievance Redressal Forum

has been established as per the notification issued by MERC i.e. “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006” to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as ‘Regulation’. Further the regulation has been made by MERC i.e. ‘Maharashtra Electricity Regulatory Commission. Hereinafter referred as ‘Supply Code’ for the sake of brevity. Even, regulation has been made by MERC i.e. ‘Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.’ Hereinafter referred ‘SOP’ for the sake of convenience (Electricity Supply Code and other conditions of supply) Regulations 2014’.

2] The consumer Shri Ram Kripaldas Chandnani is having LT –IP connection at Ganga Jamuna Society, Ulhasnagar-03 bearing consumer No. 0215148331545, approached to IGRC with his complaint for refund of estimate cost for new connection on 18/3/15. The IGRC passed the order vide No.2463 dated 24/6/15 and rejected the application of consumer.

3] Aggrieved with the decision of IGRC, the consumer approached to CGRF and submitted application in Schedule “A” dated 24/8/2015, which was registered by allotting No. K/Others/08/1117 dated 24/8/15. The hearing was scheduled on 21/9/15 at 12:30 hours and the same was conveyed to the Executive Engineer –cum-Nodal Officer of KC-II vide letter No. 255 dated 25/8/15.

Reply filed by Licensee dated 18/9/15 is as under:

4] Shri Ram Kripaldas Chandnani, had demanded 150 H.P. New connection at division Office on 12/9/14. Accordingly, division had sanctioned technical estimate in 1.3% N.C. scheme. Accordingly after due formalities related to this connection and after release order from competent authorities said connection was released.

5] After that consumer demanded cost of C.T. meter box & C.T. refund. Accordingly, this office submitted detailed report about the case vide L.No.2210 dtd. 2/12/2014 and reply of query vide L. No. 408 dt. 3/3/15 to Division Office.

6] Competent Authority replied to the SE KC-II vide reference No. 762 dtd.11/3/15 details of which are as below:

“C.T. meter box and C.T. are issued from company. Consumer has not asked to bring C.T. meter box and C.T., & without taking permission he has brought C.T. meter box and C.T. There expenditure incurred could not be remitted.”

Revised reply dtd 15/2/16 is given below:

7] The consumer estimate is sanctioned vide L. No. EE/U-I/T/1019 dt. 25.09.2014 estimate sanction No.is EE/U-I/T/ORC/1.3% N.C/2014-15/28 dt. 25.09.2014. (Ex-1)

The load of 150 HP was sanctioned vide L. No. EE/T/No. 3013 dt. 25.09.2014 vide load sanction No. EE/Ulh-I/Non DDF/Load sanction/2014-15/ 24 dt. 25.09.2014. (Ex-2)

8] Firm quotation was issued by then SDO vide F.Q No. 945 dt. 26.09.2014 in r/o R.K. Chandnani of Rs. 1085/- which includes only 1.3% supervision charges & processing fee paid by Chandnani vide R. No. 1023976 dt. 26.09.2014 (Rs. 985/-) (Ex-3) Vide R.No.1023975 dt.26.9.2014 (Rs.100/-)

9] The F.Q of Rs. 75269/- was issued by then SDO on dt. 25.09.2014 which includes only security deposit & 1.3% supervision charges for CRA (13000/-) The same is paid by Mr. Chandnani Vide R.No. 1023974 dt. 26.09.2014 i.e. Rs. 169/- (Ex-4)

10] Mr. Chandnani connection released on dt. 21.10.2014 by completing all formalities.

11] The consumer has carried out the work as per sanctioned estimate under 1.3% supervision charges scheme ,the meter was issued by MSEDCL having details as 100/5A, Make: Genus, meter No. 6588625 (Ex No. 5) same is on site CPL is enclosed herewith (Ex-6)

12] It is to state that CT's & CT Meter box are given from MSEDCL. Sh. Chandnani has brought CT's & CT Meter Box without MSEDCL permission on his own. which is clearly mentioned in letter No. EE/U-I/T/VIP/404/ 762 dt.11.03.2015 by Executive Engineer, Ulhasnagar Div-I which is addressed to the Superintending Engineer, Kalyan Circle-II, Kalyan. (Ex-7)

13] It is to state that as per circular no. CE/Dist./SOC/24500 dt. 30.08.2012.(Ex.8) Annexure 3 (4b) The cost of CT operated metering cabinet including CTS, MCCB & 100/5A meter is Rs. 22,500/- which is not collected from Mr. Chandnani, Even though 100/5A meter has been provided by MSEDCL.

14] As per circular No. CE/Dist./SOC/24500 dt. 30.08.2012 Annexure -1(C). The service connection charges for New overhead connection approved by MERC for 150 HP is 13,000/- which not collected from Mr. Chandnani. Whereas 1.3 % of 13,000/- that is 169/- are collected from Sh. Chandnani vide R.No. 1023974 dt. 26.09.2014.

15] We have heard both the sides. It is not disputed that consumer has taken a new connection which was supplied to him in 1.3% NC scheme. He has spent for the installation. It is not disputed further that the installation has been done by the Licensee except where the consumer/ applicant gives an undertaking and himself demands sanction for the connection in 1.3 % NC scheme. The Licensee was unable to show any document that the consumer/applicant in this case has given an undertaking and had specifically demanded for sanction under the above said scheme and had agreed to spend for the installation. We do not see any reason to reject the grievance of the consumer/applicant.

16] There is also compensation claimed by consumer as against which the contention is raised that consumer/applicant was not a consumer when he made application for new connection. The argument does not appeal to reason. The compensation has to be granted. The consumer/applicant has claimed Rs.5000/- as a compensation for mental harassment. We have given a thought to the same.

17] In the above give of the entire matter, consumer/applicant has claimed towards -

erection of line and connection	- Rs.75,610/- (as per estimate)
Meter cabinet 200/5 Amp cost	- Rs.31,500/- (market purchased)

The amount claimed by the consumer on account of supervision charges and meter testing charges cannot be allowed. So-far-as compensation is concerned, Rs.1000/- is granted to the consumer.

This matter could not be decided within time as the Hon'ble Chairperson took charge on 20/9/2016 of this Forum and the matter was reheard today itself.

Hence the order.

ORDER

Grievance application of the consumer is partly allowed.

The Licensee is directed to pay to the consumer the amount of Rs.75,610/- towards erection of line and connection (as per estimate), and Meter cabinet 200/5 Amp cost of Rs.31,500/- (market purchased) (Total Rs.1,07,110/-), so also Rs.1000/- towards compensation.

The prayer for supervision charges and meter testing charges is hereby rejected.

The Licensee is directed to pay the above said amount to the consumer within 45 days from date of order and to comply the report within 60 days from the date of receipt of the said order.

Date: 09/11/2016.

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

(L.N.Bade)
Member Secretary
CGRF, Kalyan.

(A.M.Garde)
Chairperson
CGRF, Kalyan.

NOTE

- a) The consumer if not satisfied, may file representation against this order before the Hon. Ombudsman within 60 days from the date of this order at the following address.

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

- b) Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or

- c) delay in compliance of this decision issued under “Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2003” at the following address:-

“Maharashtra Electricity Regulatory Commission, 13th floor, World Trade Center, Cuffe Parade, Colaba, Mumbai 05”

- d) It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.

