



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/0041/407 OF 2010-2011 OF
M/S. SAI RAJ CONSTRUCTION, NALLASOPARA, REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT NEW CONNECTION.

M/s. Sai Raj Construction
At S. No. 80, H. No. P/4,
Alkapuri Road, Near Kali Mandir,
Nalasopara (East), Tal : Vasai, Dist : Thane

} (Here in after
referred to
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Ex. Engr. MSEDCL
Nalasopara (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 complaint was regarding non releasing connection to M/s. Sai Raj Construction, Nalasopara. The complainant registered grievance with the Forum on 29/07/2010 regarding New Connection. The details are as follows :

Name of the complainant : M/s. Sai Raj Construction

Address: - As above

Old Consumer No : New connection

Reason for Dispute : - Regarding non release of new connections.

- 3) The batch of papers containing above grievance was sent by Forum vide letter No. EE/CGRF/Kalyan/341, dt. 29.07.10 to the Nodal Officer of the Licensee, and the Licensee through Nodal Officer MSEDCL Vasai Circle filed reply vide letter No. IGRC/VC/CGRF-407/2010-11/6795, dt. 20.08.2010.
- 4) The Chairperson and Member Secretary of the forum heard both the parties at length on 24/08/2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Ravi Anand, Shri S. S. Mirje, Shri Ashok Kumar Tiwari, Shri R. Jaiswal, representatives of the consumer & Shri S. R. Purohit, Nodal Officer and Shri Nitin Pevekar Dy. Ex. Engr. representatives 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 complainant is a company engaged in the business of construction under the name and style of M/s. Sai Raj Construction, At S. No. 80, H. No. P/4, Alkapuri Road, Near Kali Mandir, Nalasopara (East). The complainant had applied for 69 nos. of new connections and had paid Rs. 1725/- as processing fees on 09/11/2009 vide receipt No. 0523080.
 - a) Though as per MERC (SOP Regulations) 4.3 and 4.4 it is mandatory for the licensee to visit the site and carry out a survey within 7/10 days and provide an estimate to the complainant within 15/20 days licensee had not taken any action till date.
 - b) Therefore complainant had approached IGRC who have passed the order stating that the applicant has not shown the site to the licensee, this is not acceptable to the complainant.
 - c) The complainant further state that only extension or augmentation is required and licensee can easily provide connections within three months as per A (iii) Appendix 'A' of SOP.
- 6) Not satisfied with the order of IGRC and due to above reasons complainant have approached the Forum for Redressal and prayed that :
 - a) MSEDCL be directed to furnish estimate immediately and connections thereafter.
 - b) Grant compensation for delay in giving estimate as per Annexure 1 of SOP Regulations.
 - c) Any other order in favour as the Forum may deem fit.
- 7) Notice was issued to the licensee to appear who have filed their say as under :
 - a) The proposal was received by Sub-Division Office, after receiving it was forwarded to Section Office for feasibility and survey.

- b) Neither the complainant nor his authorized representative had shown the specific location where power supply is required. Accordingly complainant was informed about the status and requested to show the site on 05/06/2010.
- c) The status is as it is since after the hearing of IGRC consumer or his representative have not shown the site to the licensee.
- d) The Nalasopara East area is vast developing and there are many cases of illegal construction. Therefore without the approved plan from CIDCO, fixing of point of supply and estimating is required electrical net work as a joint event.
- e) Without specific details from the applicant or his representative about his site, point of supply and also location for DTC, if required, the technical feasibility survey is not possible.

Licensee therefore requested the Forum to reject the application of the complainant.

- 8) We have gone through the record placed before us and heard in length the arguments made by both the parties. In order to decide the grievance we have visited the site in question on 19/10/2010 prepared note to that effect marked 'A' and have observed that :

- a) The existing nearby transformer having capacity of 315 KVA is already overloaded, hence proposed 69 Nos. of new connections cannot be released from the same. In view of this we find no force in the grievance application and the same deserves to be dismissed. It reveals from the record licensee has also informed the complainant to show the site vide letter dt. 06/08/2010 and dt. 19/07/2010. Moreover, the complainant has not submitted A-1 forms for 69 Nos. of new connections, it has become

difficult to the licensee to decide the capacity of new proposed transformer.

- 9) We have also observed that :
 - a) The complainant's applications for 69 Nos. of new single phase connections are still pending though the requisite amount is paid by the complainant.
 - b) A-1 forms are not submitted by the complainant, so it is not on the record. The site inspection was carried out on 19/10/2010 by the Forum alongwith the officials of the licensee and consumer.
- 10) Licensee has submitted incomplete documents at the time of hearing therefore Forum issued a letter to the licensee to furnish details as mentioned above. Alongwith the say licensee filed documents on 05/10/2010. The Forum found some discrepancies in the documents produced therefore visited the site on 19/10/2010 and hence delay is caused to decide the case.
- 11) On going through the record and noticing the capacity of the transformer we unanimously dismiss the grievance application and pass the following order :

ORDER

- 1) Grievance application stands dismissed.
- 2) Complainant is directed to furnish A-1 forms and show the site to the licensee.
- 3) Licensee is directed to release the connections after completion of all the requisite formalities as laid down by Hon. MERC.

- 4) The Consumer can file representation against this decision with the Hon. Electricity 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”.

- 5) Consumer, as per section 142 of the Electricity Act, 003, can approach Hon. Maharashtra Electricity Regulatory Commission 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” at the following address :

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

Date : 23/11/2010

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan