



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph- 2210707, Fax – 2210707, E-mail : cgrfkalyan@mahadiscom.in

Date of Grievance : 22/10/2013
Date of Order : 12/11/2013
Period Taken : 21 days

**IN THE MATTER OF GRIEVANCE NO. GRIEVANCE NO. K/DOS/019/881
OF 2013-14 OF SHRI SURESH K. VARINDANI OF ULHASNAGAR-5, DIST-
THANE REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL
FORUM KALYAN ZONE, KALYAN ABOUT RECONNECTION OF SUPPLY**

Shri Suresh K. Varindani,
Tarachand Nagar Brk. No. C/5,
Room No.28/29, Behind Prabhat Talkies,
Ulhasnagar-5, Dist-Thane
Consumer No. 021514566632

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Exe. Engineer, Ulhasnagar S/Dn. V

(Here-in-after
referred
as Licensee)

Appearance :- For Consumer - Shri Harish Varindani, Consumer's Representative
For Licensee - Shri A.N. Khan, Executive Engineer cum Nodal Officer,
Shri Pevekar, Dy. Exe. Engineer
Shri Jayesh Y. Bhendari, Asst. Accountant,

(Per Shri. Sadashiv S. Deshmukh, Chairperson)

1. This Consumer Grievance Redressal Forum has been established under "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of

consumers. The 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 was having Residential supply from the Licensee. The Consumer was billed as per the said tariff. His meter became P.D. in October 2011. He sought re-connection in December 2011. As it was not complied, Consumer registered grievance with the Forum on 22/10/2013 seeking reconnection of supply.
3. The papers containing above grievance were sent by Forum vide letter No. EE/CGRF/Kalyan/0482 dated 22/10/2013 to Nodal Officer of Licensee. The Licensee filed its reply on 12/11/2013.
4. Today, the matter was taken up. We have gone through the application and reply; heard both sides. On the basis of the said material and records and on hearing arguments, following factual aspects are disclosed:-
 - a) Applicant / Consumer bearing Consumer No.021514566632 was having a supply from 2/12/2005 for residential purpose. The said supply resulted in P.D. in the month of October, 2011.
 - b) The Consumer sought reconnection of it by paying outstanding dues of Rs.3,080/, Rs.500/- towards Security Deposit and Rs.100/- towards re-connection charges. The said payment is done on 12/12/2011.
 - c) The Consumer claimed that in spite of paying the amount, there is no re-connection. On this aspect he approached the Dy. Exe.Engineer, Ulhasnagar on 24/5/2013 but there was no any reply or compliance, hence he approached this Forum on 22/10/2013.

- d) The Licensee admitted that the Consumer's meter was P.D. in October 2011, the Consumer paid due amount, Security Deposit and re-connection charges on 12/12/2011 but it is contended that period of re-connection which is of six months is already over and hence the Consumer is required to apply fresh for such connection.
5. As noted above a technical report is given contending that as the time of six months is over after the P.D. connection hence, now it cannot be revived but the Consumer is to apply afresh. The mute question in this matter arises when the Consumer has paid amount within two months of P.D. along with Security Deposit and re-connection charges, can it be stated that he is at fault and now again he is to seek for fresh connection? In other words, on behalf of Licensee it is contended that as six months period is over, there cannot be any re-connection. No doubt, the Officers of Licensee made submissions in the light of practical difficulties faced by them due to their I.T. System which may not accept such re-connection, if any, after six months of P.D.
6. We find dispute is too simple; Consumer faced P.D. but in time, i.e. within two months, paid all outstanding dues with Security Deposit and re-connection charges but there is no any action, from the Licensee towards re-connection. There is no any reason forthcoming from the Licensee as to why there was no any such re-connection immediately after the payment. In this regard, we are guided by the MERC SOP and as per clause 5 of its Annexure, it is clear that in urban area, towards P.D. connection, if payment is done within six months along with the re-connection charges, then it is to be reconnected within 24 hours but for rural area time provided is of two days. Accordingly in this matter the Consumer ought to have been provided the supply on or before 14/12/2011 but it is not complied. Though reason is not stated in the reply, it is tried to be explained that payment which the Consumer has done towards re-connection was not brought to the notice of the officers who were to reconnect and hence it

Grievance No. K/DOS/019/881 of 2013-14 remained. We find this is an internal matter amongst the set-up in the office and hence this is a lame excuse. Accordingly it is clear that the Consumer was entitled to re-connection as on 14/12/2011 but he is denied connection; he had sought relief approaching the Dy. Exe.Engineer on 24/4/2009; it has also yielded no result and hence we find that relief to the Consumer cannot be denied.

7. In result, we find that this grievance is to be allowed. The Licensee is to be directed to reconnect the supply to the Consumer within 48 hours from this date.
8. The act of Licensee attracts above mentioned clause of SOP for compensation but C.R. submits that he has requested re-connection and not pressing for any compensation as per SOP of MERC. Accordingly he is not seeking any compensation as such.

Hence the Order.

ORDER

- (i) The grievance of the Consumer is hereby allowed.
- (ii) Licensee directed to re-connect the supply to the Consumer within 48 hours from this date.
- (iii) This order is dictated in presence of both sides and compliance of this above direction be reported by the Licensee within a week.

Date : 12/11/2013

I Agree

I Agree

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

(Chandrashekhar U. Patil)
Member Secretary
CGRF Kalyan

(Sadashiv S. Deshmukh)
Chairperson
CGRF Kalyan

(Mrs
CC

[This aforesaid order is dictated in presence of both sides and declared on 12/11/2013 and Operative Order was provided to them, today, total Order is transcribed and signed]

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 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”

- c) 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.