



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/N/022/253 OF 2009-2010 OF
SHRI GURUNATH S. BHOIR / MRS. NEELAM G. BHOIR REGISTERED
WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE,
KALYAN ABOUT DELAY IN GRANTING NEW CONNECTION.

Shri Gurunath S. Bhoir (Now dead)/
Mrs. Neelam G. Bhoir
At : Piswali, Near Jhende Chawal
Chetna School, Shree Malang Road,
Kalyan (East), Dist : Thane

(Here-in-after
referred
as Consumer)

Versus

Maharashtra State Electricity Distribution
Company Limited through its
Dy. Executive Engineer
Sub-Dn. No. I, Kalyan (East)
Dist. Thane.

(Here-in-after
referred
as licensee)

- 1). 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. This regulation has been made by the Maharashtra Electricity Regulatory Commission vide powers conformed on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, 2003. (36 of 2003).

- 2). Shri Gurunath Bhoir for Shyam Developers and Construction, Pisavali, Kalyan (East) made an application to the licensee on 20/06/2008 for electric supply and installation of meters for 22 rooms and a staircase in the building with Gr. + 2 floors constructed in S. No. 18, Hissa No. 9, of Village Pisavali. Present applicant Smt. Neelam G. Bhoir claims that her husband has complied with all the requirements for such electric supply and also sent number of letters to the officers of licensee including letter dt. 09/09/2008 to the Dy. Executive Engineer, Netivali Sub/Division but the licensee has not so far supplied or connected electric supply to the rooms and staircase of his above referred building. In the meanwhile Shri Gurunath Bhoir died and therefore his widow Smt. Neelam G. Bhoir has filed the present grievance before this Forum and the same was registered on 20/04/2009.
- 3) The licensee in response to the notice of the present grievance application sent vide outward No. EE/CGRF/Kalyan/356, dt. 20/04/09, through Dy. Executive Engineer, MSEDCL., Sub/Dn. No. I, Kalyan (East), Dist : Thane strongly contested the grievance application vide reply dt. 08/05/09.
- 4) The licensee claims that the consumer applied for new service connection in the name of Shri Gurunath S. Bhoir, C/o. Shyam Developers & construction, at S. No. 18, H.No. 09, Pisavali, Kalyan (East) in the month of Sept. 08. The said application was duly sanctioned by Executive Engineer vide sanction No. EE/KLN/East/T/03/2008-09. The said sanction is made under DDF with normative 1.3 % supervision charges. Consumer agreed for the same and paid Rs. 565 vide MR No. 0553749, dt. 01/10/08. The estimate for giving

power supply to above said consumer consist of extension of LT line of 0.2 Km. As per the practice of construction work under DDF supervision charges, the applicant has to execute the work as per estimate on their own risk and labours and while doing so, if the applicant faces some difficulties or obstructions, he has to solve the said difficulties and remove the obstructions. Under the circumstances, while executing the work by M/s. Shyam Construction, the local residents alongwith the line raised objection and oppose to carry out work with threatening. The fact is well known to the developers and also it is the prime responsibility of developer to solve the objection but till date it is not done by the agency. Another possibility of supply is also surveyed but obstruction is created there also. In view of the above, it is very difficult to connect the supply physically without creating the necessary infrastructure and developer is refusing the responsibility for the same.

- 5) The Forum heard on 13/05/09 at 15.00 hrs. Shri Ramsingh S. Hanspal, the representative of the consumer and Shri D. V. Bhojane, AE, Shri T. H. Watpade, JE, the representatives of the licensee and also carefully perused the documents filed by both the parties. During the hearing, the CR admitted about the difficulties and the objections raised by the owner of adjoining land through which the line was to be laid for giving supply to the building of applicant, due to which supply could not be given by the licensee to the said building. The CR repeated the request of applicant to give supply to the said building from the electric connection at other building of the applicant. The LR submitted that it is not possible to give supply to the said building from the electric connection at the other building of the applicant due to excess load on Transformer. The LR submits that the licensee is ready to give supply to the

consumer at any time if the consumer gets access to lay the cable underground or overhead. He further submits that the builder/consumer should deal with the villagers, sit together and sort out the problem at his level making any agreement with them and inform the licensee so that licensee will revise the estimate depending upon the work involved. The time limit of DDF sanction estimate is over. If the builder can apprise the owners of the nearby sites and allow the licensee to start the work, extension for the DDF estimate can be obtained from the competent authority. He further submits that the pieces of plots are bearing different survey numbers, so there will be some access in between two survey numbers to approach the plots. If the consumer obtains lay out from the Grampanchayat and furnishes the same to the licensee, the licensee can make survey to ascertain the technical feasibility to lay the cable along the access shown, if any, in the lay out. The CR agrees to approach the Grampanchayat in this regard for getting such lay out. During hearing the Forum instructed the licensee to ascertain whether supply can be extended from D.P. by making survey of the concerned site and to submit a proposal about it to the Forum on or before 24/05/09. However, the licensee has not submitted any such proposal till this date. The consumer also did not inform any progress in the matter and about any steps taken by him to find out some alternate site for laying the line for giving connection to the said building, since the date of hearing till this date, to this Forum. In view of the above facts and circumstances, the Forum unanimously passes the following order :

O-R-D-E-R

- 1) The grievance application is allowed.
- 2) The licensee is directed to ascertain whether supply can be extended from D.P. by surveying the concerned site and give electric supply to the building of applicant through the said site or any other site after the applicant/developer creates necessary infrastructure in the said site.
- 3) The Compliance should be reported to the forum after releasing electric supply to the concerned building of applicant/consumer.
- 4) 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.

Date : 09/06/2009

(Sau V. V. Kelkar)
Member
CGRF Kalyan

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(M.N.Patale)
Chairman
CGRF Kalyan