



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
Ph: – 2210707 & 2328283 Ext: - 122 E-mail : cgrfkalyan@mahadiscom.in

**IN THE MATTER OF GRIEVANCE NO. K/N/0044/411 OF 2010-2011 OF
M/S. R. C. CONSTRUCTIONS, NALLASOPARA, REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT NEW CONNECTION.**

M/s. R. C. Constructions
At S. No. 80, Station Road,
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. R. C. Constructions, Nalasopara. The complainant registered grievance with the Forum on 07/08/2010 regarding New Connection. The details are as follows :

Name of the complainant : M/s. R. C. Constructions

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/362, dt. 07.08.10 to the Nodal Officer of the Licensee, and the Licensee through Nodal Officer MSEDCL Vasai Circle filed reply vide letter No. IGRC/VC/CGRF-411/2010-11/6991, dt. 30.08.2010.
- 4) The original hearing was fixed on 31/08/2010 @ 15.00 hrs. but the same was postponed on 06/09/2010 @ 15.00 hrs. The Members of the forum heard both the parties at length on 06/09/2010 @ 15.00 Hrs. in the meeting hall of the Forum's office. Shri Ravi Anand, Shri S. S. Mirje, Shri R. Jaiswal, representatives of the consumer & Shri Nitin Pevekar 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) M/s. R. C. Constructions is a complainant situated at S. No. 80, Station Road, Nalasopara (East). It had applied for 40 Nos. of new connections on 22/12/2009. The licensee issued estimate on 02/01/2010 and accordingly the requisite payment was made by the complainant on 14/01/2010. It is the grievance of the complainant that though it had paid the F.Q. amount licensee have not given new connections on the pretext of a overload transformer.
- 6) The complainant further states that as per Section 42 (i) of E.A. 2003 it is the duty of Distribution Licensee to develop and maintain an efficient coordinated system in their area of supply. It is also contended that as per Section 43 (ii) of E.A. 2003 the licensee has to create infrastructure in that area and for every small requirement the complainant cannot ask for one year just because there is a provision in SOP.
- 7) It is also pleaded by the complainant that the supply can be released from the existing transformer as the transformer is just 150 mtrs. away and is sufficient to cater the load of new connections. Since concerned officials did not respond the complainant approached IGR Cell but in vain and hence lodged this grievance to this Forum with prayers as under :
 - a) Licensee be directed to release new connection.
 - b) Any other order in favour as the Forum may deem fit.
- 8) Licensee resisted the claim of the complainant stating that
 - a) F.Qs. were issued on 02/01/2010 subject to commissioning of 200 KV additional DTC at Madhurmilan. Estimate for the same was prepared and forwarded to Division Office and finally included in the proposed infrastructure plan.

- b) Licensee has further stated that complainant is not ready for DDF and Non DDF Scheme and hence it's load is proposed on new DTC under upcoming new Infrastructure Scheme 2010-11.
 - c) It is contended by the licensee that after commissioning of new DTC new connections will be released. Moreover, as per MERC (SOP) Regulations 4.6 the time period for releasing such connection is one year from the date of receipt of complete application as per MERC (SOP) Regulations 4.2. Hence before expiry of SOP period, the issue of releasing connections cannot be treated as grievance. Licensee therefore requested to reject the grievance application.
- 9) We have gone through the documents placed on record and the submission made by both the parties. It is pertinent to note that neither the complainant nor the licensee submitted the relevant documents on record though it was repeatedly insisted by the Forum at the time of hearing. The Forum has telephonically also contacted the parties and reminded to submit the documents but both the parties to this case have not taken pain to furnish the relevant documents to the Forum. Therefore Forum wrote a letter dated 04/10/2010 asking licensee to submit the requisite documents. Licensee ultimately filed documents, however Forum found some discrepancies in the said documents therefore visited the site on 19/10/2010 and prepared notes marked 'A'. After going through the documents and details we found that :
- a) The existing 315 KV transformer is over loaded, hence 40 Nos. of new connections cannot be released from the same. We find substance in the contention of licensee that the existing transformer is over loaded and therefore new connections as prayed cannot be released. In view of this

we find no force in the grievance application and the same deserves to be dismissed.

- 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) Licensee is directed to get the estimate sanctioned from the competent authority and release the new connections as per the guidelines laid down in Regulation as per the provisions of Clause 4 sub-clause 4.6 of Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005.
- 3) 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”.

- 4) 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

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

(R.V.Shivdas)
Member Secretary
CGRF Kalyan

(S.N. Saundankar)
Chairperson
CGRF Kalyan