

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/0045/412 OF 2010-2011 OF
M/S. RAMAN NAVROTTAM YADAV, NALLASOPARA, REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT NEW CONNECTION.

M/s. Raman Navrottam Yadav
Shop No. 02, S. No. 131,
Sai Shradha Chawl,
Bilalapada, 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. Raman Navrottam Yadav, 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. Raman Navrottam Yadav

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/365, dt. 07.08.10 to the Nodal Officer of the Licensee, and the Licensee through Dy. Ex. Engr. MSEDCL Nalasopara sub-Division filed reply vide letter No. DYEE/Tech/CGRF/1993, dt. 05/10/2010.

- 4) The original hearing was fixed on 31/08/2010 @ 16.00 hrs. but the same was postponed on 06/09/2010 @ 16.00 hrs. The Members of the forum heard both the parties at length on 06/09/2010 @ 16.00 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) The complaint in brief is as follows :

The complainant is having a flour mill at Shop No. 2, S. No. 131, Sai Shraddha Chawl, Bilal Pada, Nalasopara (East). He has applied for a new connection of 10 HP power for his flour mill on 15/01/2010. He

further states that licensee issued estimate on 17/02/10 and the amount was paid on 19/02/10. Grievance of the complainant is that though he paid the amount of process fees new connection is not released by the licensee stating that the existing transformer is overloaded hence new transformer is required. Consumer therefore approached IGR Cell, however the licensee did not pay heed to his complaint and by letter dated 23/06/2010 informed that the period for commissioning new Sub-Station is one year as per the MERC Regulation 2005. Consumer therefore approached the Forum and prayed for release of supply from the existing transformer which is 15 meters away and hence sufficient to cater the load. Consumer has also prayed for the compensation for non following the SOP.

- 6) Notice was issued to the licensee however the documents filed by the licensee were insufficient therefore Forum issued a letter No. EE/CGRF/Kalyan/0471, dt. 04/10/10 directing the licensee to furnish the relevant documents. After receiving the said letter licensee submitted their say on 05/10/2010 as follows :
- a) The capacity of the existing DTC is 315 KVA
 - b) Full load current is 420 Amps.
 - c) Peak hour load is 550 Amps.

The licensee further contended that the said DTC is overloaded beyond 100% therefore, the new connection for the flour mill cannot be released. Licensee further states that to avoid the failure of existing DTC and to release new connection additional 200 KVA DTC was proposed at the above site and that they have submitted the estimate to the higher authority for sanction.

- 7) We have gone through all the documents placed on record. However, we found some discrepancies in the contentions of the licensee, we therefore visited the site on 19/10/2010 and prepared inspection notes marked 'A'.
- 8) After visiting the site and verifying the documents placed on record we find at the peak hour loading transformer was overloaded therefore hardly new connections can be released. In view of this we find no force in the submission of learned representative for the consumer that officials of the licensee intentionally did not release the connection. Since existing 315 KVA transformer is fully overloaded proposed new connection cannot be released.
- 9) It is clear from the record that the demand of the complainant for new connection of 10 HP flour mill is not technically feasible. The complainant has submitted his application for new connection on 15/01/2010 but the survey was carried out on 17/02/10 is apparently against SOP Appendix 'A' Clause 1 Provision of supply – (Time period for completion of inspection of applicant's premises from date of receipt of application is ten (10) days for rural areas and compensation Rs. 100 per week or part thereof of delay). It is also mandatory for the licensee to submit F. Q. within 15 days from the date of receipt of the application (regardless complete application) vide Clause –2 (ii). However, in this case licensee issued the quotation on 17/02/2010 for which delayed action as per SOP licensee is required to be saddled with compensation. It is to be noted that complainant has not submitted any document regarding A-1 form, copy of firm quotation, paid receipt of firm quotation etc.
- 10) Considering the above facts we conclude as under :

a) The date of application is 15/01/2010

b) The survey is carried out on 17/02/2010

So there is a delay of approximately one month i.e. four weeks hence as per Appendix 'A' referred to above compensation of Rs. 400 i.e. $(100 \times 4 = 400)$ will have to be given to the complainant.

c) The date of firm quotation is 17/02/2010 and the application is dt. 15/01/10 hence as per Appendix 1 (iii) compensation of Rs. 200/- i.e. $(100 \times 2 = 200)$ is necessary to be given to the complainant totaling to Rs. $400 + 200 = \text{Rs. } 600/-$ considering the delay occurred as above.

11) As stated above 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.

12) On going through the record and noticing the capacity of the transformer vide inspection notes marked 'A' grievance application will have to be partly allowed and hence we unanimously pass the following order :

ORDER

1) Grievance application is partly allowed.

2) Licensee is directed to get the estimate sanctioned from the competent authority and release the new connections as per the guide lines laid down in Regulation 4.6 of Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005.

- 3) Licensee is further directed to pay total compensation of Rs. 600/- (Rs. Six Hundred only) to the complainant within 30 days from the date of receipt of this decision as directed in para No. 10 referred above as per Appendix 'A' – 1 (i) of Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005.
- 4) Compliance as regards payment of compensation should be reported within 60 days from the date of receipt of this decision
- 5) 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”.

- 6) 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