



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/0046/413 OF 2010-2011 OF
M/S. RANGEELA DEVELOPERS, NALLASOPARA, REGISTERED WITH
CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN
ABOUT NEW CONNECTION.**

M/s. Rangeela Developers
At S. No. 79, H. No. 02
Alkapuri, Achole 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. Rangeela Developers, 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. Rangeela Developers

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/368, 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-413/2010-11/6993, dt. 30.08.2010.

- 4) The Members of the forum heard both the parties at length on 07/09/2010 @ 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) Complainant is a construction company situated at S. No. 79, Hissa No. 2, Alkapuri, Achole, Nalasopara (E), Tal : Vasai, under the name and style M/s. Rangeela Developers. Complainant had submitted that it had applied for 52 Nos. of new connections on 28/10/2009 and paid processing fees of Rs. 1300/- vide receipt No. 0523081 dt. 09/11/2009. It is the contention of the complainant that licensee issued F.Q. on 14/01/10 which was paid within a week by the complainant. It is further contended that though the complainant paid the necessary charges of F.Q. the licensee have not released the new connections stating that the existing transformer is over loaded and for releasing the supply for new connections new transformer is required.
- 6) The complainant therefore approached IGR Cell but according to the complainant the order passed by IGRC does not commensurate with MERC (SOP) Regulation 2005 and is deceptive.
- 7) The complainant therefore approached the Forum and pleaded that
 - a) As per Section 42 (i) of E.A. 2003 it is the duty of Dist. Licensee to develop and maintain and efficient coordinate the Distribution system in its area.
 - b) Licensee has to create infrastructure as per Section 43 (ii) of E.A. 2003.
 - c) Licensee cannot ask the consumer to wait for one year just because there is a provision in SOP of one year for erection of new Sub-Station.
 - d) Supply for new connection can be released from existing net work after augmentation of transformer. The nearest supply point is just 40 mtrs. away and for that time period is three months.

- 8) The complainant therefore prayed that :
 - a) The licensee be directed to issue new connections
 - b) Compensation be awarded as per the provisions of Regulations 2005.
- 9) In response to the above claim licensee pleaded that
 - a) F.Qs. were issued on 14/01/2010 subject to commissioning of 200 KV additional DTC at Madhurmilan. Estimate for the same was prepared and forwarded to Division Office on 07/11/2009 vide letter No. DYEE/NSP/E/2288 by Dy. Ex. Engr. Nalasopara included in the proposed infrastructure plan.
 - b) These new connections required erection of new DTC or new Dist. Sub-Station as per feasibility survey. Hence the SOP time period for releasing such connections as per MERC (SOP) Regulation 4.6 “Where the supply of electricity to a premises requires commissioning of a new Sub-Station forming part of the distribution system, the Distribution Licensee shall give supply to such premises within one (1) year from the date of receipt of complete application in accordance with the Maharashtra Electricity Regulatory Commission (Electricity Supply Code and Other Conditions of Supply) Regulations, 2005”.
 - c) Complainant also failed to submit required documents though intimated by Dy. Ex. Engr. Nalasopara vide letter dt. 17/06/2010.
 - d) The licensee therefore requested the Forum to reject the claim made by the complainant.
- 10) We have gone through the record placed before us and have heard both the parties. As the Forum had some queries it visited the site on 19/10/2010 and prepared notes marks ‘A’. We also observed that :

- a) The existing nearby transformer having capacity of 315 KVA is already over loaded, hence proposed 52 Nos. of new connections cannot be released from the same.
- 11) We have also observed that by letter dt. 17/06/2010 licensee have informed the complainant regarding the status of it's proposal. A-1 form which is an important document is not on record though repeatedly insisted by the Forum. We have also gathered from the papers submitted by the licensee on 05/10/2010 that A-1 form received on **09/01/2010** survey was carried out on **09/01/2010** and F.Q. was issued on **09/01/2010** all these things are beyond our imagination. Date of receipt of processing fees is 09/11/2009 and survey was carried out on 09/01/2010. In fact which should be as per SOP within seven days from the date of receipt of processing fees hence complainant is entitle for compensation of Rs. 200/- for the delay in survey @ Rs. 100/- per week (100 X 2 = Rs. 200) and Rs. 300/- for delay in intimating the charges @ Rs. 100/- per week (100 X 3= Rs. 300) and as such total compensation of Rs. 200 + 300 = Rs. 500 is necessary to be paid by the licensee to the consumer.
- 12) Taking into consideration all the above facts we are of the opinion that licensee should erect the new DTC and release the connections proposed by the complainant as per the provision of Clause 4 (4.6) of Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005.
- 13) The forum visited the site for inspection on 19/10/2010 and have observed that :

- a) The existing nearby transformer having capacity of 315 KVA is already over loaded, hence proposed 52 Nos. of new connections cannot be released from the same.
- 14) 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.
- 15) On going through the record and noticing the capacity of the transformer 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 as per the provisions of Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations, 2005.
- 3) Licensee is also directed to pay total compensation of Rs. 500/- (Rs. Five Hundred only) to the complainant within 30 days from the date of receipt of this decision as directed in para No. 11 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 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