

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/082/2015

Applicant : Shri Ali Asgar Mamajiwala,
15/A, Arihant Appts.,
F-301, New Colony, Sadar,
Nagpur : 400 001.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
MSEDCL,,
NAGPUR.

Applicant :- In person.

Respondent by 1) Shri Rody, Nodal Office.
2) Shri Dahasahastra, SNDL Nagpur.

Quorum Present : 1) Shri Shivajirao S. Patil,
Chairman.

2) Adv. Subhash Jichkar
Member.

3) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 11.6.2015.

1. The applicant filed present grievance application before this Forum on 22.4.2015 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer

Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Applicant's case in brief is that he filed an application for release of N.S.C. for residential purpose but his application was rejected by letter dated 17.2.2015 quoting the reason as **“non existence of required infrastructure to give connection”**. Therefore applicant approached to I.G.R.C. I.G.R.C. passed order dated 25.3.2015 in case No. 227/14. I.G.R.C. held that applicant is not at all liable for payment of any cost towards infrastructure required for release of connection and directed Manager (NSC) to process the application of the applicant accordingly and to give electric supply to the applicant at the earliest, after completing all formalities. Being aggrieved by the order passed by I.G.R.C. applicant approached to this Forum, alleging that it is the duty of non applicant to provide electricity. Three months are already passed but connection is not given.

3. Non applicant denied applicant's case by filing reply Dated 30.4.2015. It is submitted that as per order passed by Learned I.G.R.C. demand note is given to the applicant on 24.4.2015. Work of installation of infrastructure is going on. After applicant pays the amount of demand, connection shall be released.

4. Forum heard the arguments of both the sides and perused the record.

5. It is pertinent to note that M.E.R.C. has passed order in case No. 70/05 on 8.9.2006 mandating that laying of infrastructure up to the point of supply of the consumer is the responsibility of Distribution Licensee / Franchisee and therefore for giving supply to the applicant, required augmentation or extension of existing infrastructure has to be done by the Distribution Licensee / Franchisee and that too, within 3 months on receipt of completed application as provided in MERC (Standard of Performance, Period for giving Supply and determination of compensation) Regulations 2005. Therefore applicant is not at all liable for payment of any cost towards infrastructure required for release of connection to the applicant.

6. In view of this legal position, order passed by Learned I.G.R.C. is legal and proper and needs no interference. Learned I.G.R.C. has already directed Manager (NSC) to process the application of the applicant accordingly and to give electric supply to the applicant at the earliest after completing all formalities.

7. Now important question for determination is 1) whether applicant paid amount of demand note and 2) whether applicant has submitted test report and completed other formalities. So far as grievance application of the applicant is concerned, in para 5 of the grievance application i.e. Schedule 'A', it is simply mentioned that "giving too much harassment, it is there duty to provide electricity, still more than 3 months have been passed, they have failed to provide the service". Except these ¾ lines, nothing is mentioned in the grievance application. Applicant had not mentioned in his application whether he deposited amount of demand note and whether he produced test report. Nothing is

mentioned in reply of SNDL about these points. To ascertain truth, we have perused other documents. There is receipt No. 7388141 Dt. 2.5.2015 on record. It shows that applicant deposited amount of demand note of Rs. 15146/- on 2.5.2015. However, applicant did not produce copy of test report on record. Therefore it can not be said that applicant has completed all other requisite formalities. It is the bounden duty of of the applicant to produce test report on record.

8. Therefore grievance application of the applicant must be partly allowed. Hence following order :-

ORDER

- 1) Grievance application is partly allowed.
- 2) Applicant is hereby directed to produce test report on record and to complete all other requisite formalities, according to MERC (Standard of Performance, Period for giving Supply and determination of compensation) Regulations 2005. On completion of requisite formalities by the applicant, non applicant shall release New Service Connection to the applicant immediately as per order of Learned I.G.R.C.
- 3) Compliance should be reported within 30 days.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN