

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

Case No. CGRF(NUZ)/0102/2010

Applicant : Shri. Vishesh T. Dhore,
At Godhani, Near Arti Town,
Gorewada Road,
NAGPUR.

Non-applicant : MSEDCL represented by
the Nodal Officer-
Executive Engineer,
O&M Division-II,
Nagpur.

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

2) Adv. Smt. Gouri Chandrayan,
Member,

3) Smt. Kavita K. Gharat
Member Secretary.

ORDER (Passed on 27.01.2011)

The applicant, Shri. Vishesh Tukaram Dhore, resident of Godhani near Arti Town, Gorewada Road, Nagpur filed his grievance application on dated 23.12.2010 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 here-in-after referred-to-as the said Regulations.

1. The applicant, Shri Vishesh T. Dhore, has applied for new electric connection for residential use to the non-applicant on dated 21.10.2010. But the non-applicant has withheld the process of application for some documents. The same is conveyed to the applicant on dated 09.11.2010. The applicant, being aggrieved by this has filed the grievance application in the Forum on dated 23.12.2010 and requested to the forum that...

a. To direct the non-applicant to provide electric connection.

b. To initiate action against the non-applicant for this delay.

2. The applicant's say in brief is that, the applicant has purchased a house as per registered sale-deed. The applicant has applied for new electrical connection for residential purpose. The non-applicant is informed to the applicant that the application would not be processed till the submission of No Objection Certificate (NOC) and tax receipt from village panchayat. The applicant has requested for tax receipt and NOC to village panchayat. But the village panchayat did not issue the same. The reason for this as stated by the applicant is, there is a dispute between NMC and village panchayat regarding jurisdiction of area concerned. Therefore the corresponding authorities are not issuing tax receipt and NOC. Hence he cannot produce tax receipt and NOC of village panchayat. Therefore he filed the present

grievance application and requested to direct the non-applicant to provide new connection to his premises.

3. The non-applicant submitted a reply on dated 06.01.2011. According to the non-applicant the documents which are necessary namely Tax receipt and NOC of village panchayat. But the same are not provided by the applicant. Also there is a difference in the signature of the applicant on documents. The applicant is requested to comply these points for release of connection.. But no compliance is received so far, therefore the application is not processed.
4. The matter was heard in the Forum on dated 13.01.2011. The applicant's representative has informed to the Forum that no reply is received from the non-applicant and hence sought adjournment. The hearing is continued on dated 18.01.2011. Both the parties were present. Shri. Talewar, Executive Engineer, Div-II and Shri. Bhise, Assistant Engineer, Nagpur-I, were present on behalf of non-applicant. The applicant's side was pleaded by Shri. S. Jacob.
5. The applicant himself was present at the time of hearing to prove authenticity of signature. The applicant's representative has informed to the Forum that as the applicant has produced copy of registered sale-deed, it is sufficient to prove ownership and possession of the house by the applicant. There is a dispute between NMC

Authority and Village Panchayat authority regarding the jurisdiction of the locality. In such circumstances nobody can produce NOC and tax receipt from Village Panchayat. The representative of the applicant, Mr. Jacob, has argued that non-applicant has not given electric connections to number of persons in that area. Therefore number of people are committing theft of electricity.

6. Mr. Talewar, Executive Engineer, Nodal Officer, argued that the new electric connection would be provided to the applicant on submission of an undertaking. The undertaking should comprised of, in case any authority raises objection for the electric connection, MSEDCL will disconnect the supply.

Mr. Jacob representative of the applicant has pleaded that the applicant had already produced affidavit on dated 19.10.2010 which is on record. In point no. 6 of this affidavit, the undertaking has already given. Mr. Talewar, E.E., Nodal Officer has shown satisfaction with the undertaking.

7. The Forum heard arguments of the both the side and carefully gone through the documents on record. So far as variation in signature of the applicant is concerned, Forum had compared disputed signature of the applicant with admitted signature on sale-deed. It is true that there is some difference between these signatures. However, due to long passage of time there is natural

tendency to have some variation in the signature of any person. Therefore this ground appears to be baseless for non issuance of electric connection.

8. As per the Regulation 4.1 of the MERC (Supply Code and Other Condition of Supply), Regulation, 2005.

“...Provided further that for consumers falling under the domestic tariff category, a copy of any one of the following documents, namely (i) ration card; (ii) photo-pass, (iii) voter’s card; (iv) passport; (v) documents pertaining to occupation of premises, may be required at the time of processing of the application”;

The registered sale-deed shows the legal occupation of premises by the applicant. In Forum’s opinion, the non-applicant shall process the application.

9. Therefore in such circumstances, it appears that applicant is liable for new electric connection for residential use. Hence proceed to pass the following order.

ORDER

The grievance application is allowed.

1. The non-applicant is directed to give new electric connection to the applicant by observing MERC supply code and SOP Regulations.

2. The non-applicant is directed to comply within one month from the date of this order and report compliance to the Forum.

Sd/-	Sd/-	Sd/-
(Smt.K.K.Gharat)	(Smt.Gauri Chandrayan)	(ShriShivajirao S.Patil)
Member-Secretary	MEMBER	CHAIRMAN