



Consumer Grievance Redressal Forum, Kalyan Zone
Behind "Tejashree", Jahangir Meherwanji Road, Kalyan (West) 421301
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No. K/E/1376/1623 of 2017-18

Date of registration : 06/06/2018

Date of order : 04/08/2018

Total days : 59

IN THE MATTER OF GRIEVANCE NO. K/E/1376/1623 OF 2017-18 OF SHRI.BHASKAR BHIKA JAMDARE, AT-KARAV, POST-VANGANI, TAL-AMBERNATH, DIST-THANE, PIN CODE – 421 503 REGISTERED WITH CONSUMER GRIEVANCE REDRESSAL FORUM KALYAN ZONE, KALYAN ABOUT SERVICE RELATED.

Shri.Bhaskar Bhika Jamdare,
At-Karav, Post-Vangani,
Tal-Ambarnath, Dist-Thane,
Pin Code – 421 503

(Consumer No. 021900003584) . . . (Hereinafter referred as Consumer)

V/s.

Maharashtra State Electricity Distribution
Company Limited
Through it's Nodal Officer/Addl.EE.
Kalyan Circle-II

. . . (Hereinafter referred as Licensee)

Appearance : For Licensee - 1) Shri.Suresh D.Suradkar, Dy.EE, Badlapur (W) S/dn.
2) Shri.Ram M.Kawale, AE (QC), Badlapur (W) S/dn.

For Consumer - Shri.Kishor Jamdare (CR)

[Coram- Shri A.M.Garde - Chairperson, Shri A.P. Deshmukh-Member Secretary
Mrs. S.A.Jamdar- Member (CPO)].

1) Maharashtra Electricity Regulatory Commission, is, constituted u/s. 82 of Electricity Act 2003 (36/2003). Hereinafter for the sake of brevity referred as 'MERC'. This Consumer Grievance Redressed Forum has been established as per the notification issued by MERC i.e. "Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulation 2006" to redress the grievances of consumers vide powers conferred on it by Section 181 read with sub-section 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'. Further the regulation has been made by MERC i.e. Maharashtra Electricity Regulatory Commission. [Electricity Supply Code and other conditions of supply 2005] Hereinafter referred as 'Supply Code' for the sake of brevity. Even, regulation has been made by MERC i.e. 'Maharashtra Electricity Regulatory Commission (Standards of

Performance of Distribution Licensees, Period for Giving Supply & Determination of Compensation) Regulations, 2014.' Hereinafter referred 'SOP' for the sake of convenience.

2) The Complainant Shri.Bhaskar Jamdare residing at at-Karav, post-Vangani, Tal-Ambarnath, Dist.-Thane is a consumer of licensee having consumer no. 021900003584. Consumer submitted that pole no. 2, 3, 4 of electric line supplying electricity to his house is having loose span (10 feet), conductor of inferior quality & quality of electricity supplied to his house is also inferior (i.e. high interruption, low voltage).

Consumer further also submitted that the distance between the two poles is more than the specified norms and hence the wires are hanging loose. It is his contention that the wires between the two poles are almost touching the ground.

It is pleaded by the Consumer that these loose wires and inferior quality of conductor may cause damage to the property or it may also cause injury to the people.

One more grievance of the consumer is that there are 60 consumers who are on single phase connection from several years. Consumer requested for conversion of single phase to 3 phase so that the load can be bifurcated and it can be maintained which will also help to reduce frequent failure of transformer.

It is also the contention of the Consumer that the spark from live electricity wire may cause damage. For this he had informed to the authorities of the Licensee to rectify the defect but no action was taken .The Consumer therefore approached the forum and requested for replacement of loose span and inferior quality conductor with immediate effect

3) Notice was given to Licensee vide letter no.EE/CGRF/Kalyan/238 dt.06/06/2018 to which Licensee appeared and filed reply on date 27/06/2018.

4) Licensee in its reply submitted that on 25/06/2018 a letter has been issued by Executive Engineer, Badlapur to Executive Engineer, Kalyan regarding the requirement of L.T. poles for Karav at Badlapur (R) section to restore the supply.

Licensee also submitted that as per the Consumer's complaint a estimate was issued, but due to budget issue it was not possible to sanction the estimate in year 2017 and stated that after sanctioning the estimate the work will be completed at the earliest.

In the submission of 10/07/2018 Licensee stated that at various places Licensee has proposed the replacement of HT/LT poles replacement of conductor etc. and after approval of the proposal the work will be done. However according to the Licensee as per IE Act 2003 for the safety provisions to avoid accident and for maintain the quality of supply the work of

clearance of HT/LT lines/Conductor from ground and LT/HT poles replacement is introduced and it pertains to Electrical Inspection Dept.Ex.Electrical Inspector, Thane Hence this grievance comes under Electrical Inspector's preview.

For this we have gone through the definition of grievance, which is reproduced as under.

***"Grievance"** means any fault, imperfection, shortcoming or inadequacy in the quality, nature and manner of performance which has been undertaken to be performed by a Distribution Licensee in pursuance of a license, contract, agreement or under the Electricity Supply Code or in relation to standards of performance of Distribution Licensees as specified by the Commission and includes inter alia (a) safety of distribution system having potential of endangering of life or property, and (b) grievances in respect of non-compliance of any order of the Commission or any action to be taken in pursuance thereof which are within the jurisdiction of the Forum or Ombudsman, as the case may be.*

5) Taking into consideration the above definition we are of the opinion that :

i) This application comes in the purview of the forum

ii) Licensee to Co-ordinate with the electrical inspector and take necessary steps to maintain the electric line & replacement of conductor. Which may help to stop accidents, damage to the property and injury to the people.

iii) Regarding the second issue/grievance of the Consumer to convert single phase supply into 3 phase supply we feel that Licensee has given estimation for erection of pole after verifying feasibility.

iv) The only reason needs to be considered is whether the non-availability of funds for the erection of poles and replacement of conductor, which if not done will otherwise cause serious injuries to the people and damage to the public property is justified? It is the duty of the Licensee to safe-guard the life of the people in such situation. There is no doubt that financial funds are needed to carry out the work, but it cannot be ignored that the safety of the people is at stake and that too from 2016 when Consumer intimated first to Licensee on 17/06/2016.

Taking into consideration all the above facts we pass the following order.

Hence the order

ORDER

- 1) The Grievance application of consumer is partly allowed.
- 2) Licensee to carry out the work of maintenance at the earliest in co-ordination with electrical Inspector Thane from safety point of view.

- 3) Necessity of conversion of electric line from single phase to three phase be checked by Licensee from quality of supply point of view and if necessary, carry out the work.
- 4) Compliance be made within 45 days and report be made within 60 days from the date of receipt of this order.

Date: 04/08/2018

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

(A.P.Deshmukh)
Member Secretary
CGRF, Kalyan.

(A.M.Garde)
Chairperson
CGRF, Kalyan.

NOTE

- a) *The consumer if not satisfied, may file representation against this order before the Hon. 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".*
- b) *Consumer, as per section 142 of the Electricity Act, 2003, can approach Hon. Maharashtra Electricity Regulatory Commission for non-compliance, part compliance or*
- c) *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"*
- d) *It is hereby informed that if you have filed any original documents or important papers you have to take it back after 90 days. Those will not be available after three years as per MERC Regulations and those will be destroyed.*