

**CONSUMER GRIEVANCE REDRESSAL FORUM**  
**MAHARASHTRA STATE ELECTRICITY DISTRIBUTION COMPANY LTD.**  
**NASHIK ZONE**  
(Established under the section 42 (5) of the Electricity Act, 2003)

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Office of the  
Consumer Grievance Redressal Forum  
Kharbanda Park, 1<sup>st</sup> Floor,  
Room N. 115-118  
Dwarka, NASHIK 422011

No. / CGRF /Nashik/Malegaon Circle/MLG UCR Dn./664/54/2017-18/  
(BY R.P.A.D.)

Date:

Date of Submission of the case : 20/03/2018

Date of Decision :

To.

Shri. Haji Bafati/S/o Ab Gafoor,  
S.R.No.152, Plot No. 98,  
Nayapura, Malegaon  
Dist. Nashik 423203  
(Consumer No. 065510246823)

Complainant

1. Nodal Officer ,  
Maharashtra State Electricity Distribution Com. Ltd.,  
Circle office Malegaon
2. Executive Engineer (UCR)  
Maharashtra State Electricity Distribution Com. Ltd.  
'Moti Bhavan 'Malegaon

Distribution Company  
(Respondent)

**DECISION**

Shri. Haji Bafati/S/o Ab Gafoor,, (hereafter referred as the Complainant ). Malegaon Nashik is the HT consumer of the Maharashtra State Electricity Distribution Company Ltd. (hereafter referred as the Respondent). The Complainant has submitted grievance against MSEDCL for Compensation as ordered by IGRC Case. The Complainant filed a complaint regarding this with the Internal Grievance Redressal Committee of the Maharashtra State Electricity Distribution Company Ltd. . But not satisfied with the decision of the Respondent , the consumer has submitted a representation to the Consumer Grievance Redressal Forum in Schedule "A". The representation is registered at Serial No.36 of 2018 on 20 /03/2018.

The Forum in its meeting on 03/04/2018, decided to admit this case for hearing on 08/06/2018 at 4.15 Pm in the office of the forum . A notice dated 22/09/2017 to that effect was sent to the appellant and the concerned officers of the Distribution Company. A copy of the grievance was also forwarded with this notice to the Nodal Officer, MSEDCL, Urban I Circle Office Nashik for submitting para-wise comments to the Forum on the grievance within 15 days under intimation to the consumer.

Shri. S.D. Darwade, Nodal Officer/Ex. Engr. ,Shri. S. K. Rathod, Executive Engineer, Shri. S.R. Tekale, Addl. Ex. Engr. represented the Distribution Company during the hearing. Shri . Shafiq Ahmed Jamil Ahmad appeared on behalf of the consumer.

**Consumers Representation in brief :**

Compensation not received yet for delayed restoration of supply from DTC No.4748632 vide order No. 3778 dated 15/12/2017 by I.G.R.C. (Circle office) Malegaon.

**Arguments from the Distribution Company.**

The Distribution Company submitted a letter dated 08/06/2018 from the Executive Engineer UCR Malegaon and other relevant correspondence in this case. The representatives of the Distribution Company stated that:

It is requested to the Hon. Forum that failed 315 KVA Transformer was replaced on 24/10/17. In Malegaon it is general practice of the consumers to use more load than the sanctioned. The power loom Consumer Haji Bafati/S/o Ab Gafoor on 315 KVA Sinpura-3 dtc. Is tabulated below showing the connected Load and Sanctioned Load.

Sr. No.	Consumer Name	Consumer No.	Sanctioned Load KW	Connected Load Kw	Illegal extended Load
1.	Haji Bafati/S/o Ab Gafoor	065510246823	19.5	18.63	Nil

Also the consumption of the consumer in the month of Oct. 2017 (billed in Nov. 17) is much more than average consumption during the financial year. The Consumers 12 month average consumption and consumption of Oct. 17 billed in Nov. 17 is tabulated for your ready reference.

Sr. No.	Consumer Name	Consumer No.	Average Units per Month KWH	Oct. billed in Nov. Units KWH
1.	Haji Bafati/S/o Ab Gafoor	065510246823	1383	2062

From the above table it is crystal clear that the consumers had utilized electric Supply throughout the month.

In Malegaon town it is general practice to shift load on nearby transformer during supply failure. Load profile of the consumer who approached towards CGRF for compensation is attached herewith for your ready reference. From MRI data it is seen that the consumer has illegally disconnected the supply on dt. 11/10/2017 and has shifted the connection to other transformer & used throughout the failure period. The list of consumers is tabulated below-

Sr. No.	Consumer Name	Consumer No.	Remarks
1	Haji Bafati/S/o Ab Gafoor	065510246823	Consumer used power Throughout the month

From the above table and MRI load survey data which is attached herewith which clearly indicated that the consumer have used power supply throughout the failure period. Also from the current bills and consumer personnel ledger it is seen that the consumer is not paying the electricity bills regularly hence the above consumer is irregular.

Considering the fact that the consumer has illegally extended the load which is main cause of failure and are irregular. Hence they are not liable for any kind of compensation.

Hence it is prayed to your good self to kindly consider above say judiciously as MSEDCL is functioning on social obligation motto and disallow the claim of applicants. It is also requested to disallow the complaint in the interest of justice.

**Action by IGRC :**

- 1 Internal Grievance Redressal Cell Nashik Urban Circle conducted hearing on 25/05/2017 for the complaint submitted on 16/10/2017
2. After hearing both the parties IGRC gave decision as per letter dated 15/12/2017 as under .

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**Observations by the Forum:**

1. DTC (Distribution Transformer ) No. 4748632 was failed on 10/10/2017 which was replaced on 24/10/2017 at Malegaon.
2. It is seen from the record submitted by MSEDCL and oral submission at the time of hearing that they taken adequate efforts to replace DTC as early as possible.
3. Therefore the compensation demanded by the consumers is not justified.
4. This forum is of the opinion that the application of the consumer should be dismissed.

After considering the representation submitted by the consumer, comments and arguments by the Distribution Licensee, all other records available, the grievance is decided with the observations and directions as elaborated in the preceding paragraphs and the following order is passed by the Forum for implementation:

**ORDER**

1. The application of the consumer is dismissed.
2. As per regulation 8.7 of the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 , order passed or direction issued by the Forum in this order shall be implemented by the Distribution Licensee within the time frame stipulated and the concerned Nodal Officer shall furnish intimation of such compliance to the Forum within one month from the date of this order.
3. As per regulation 22 of the above mentioned regulations , non-compliance of the orders/directions in this order by the Distribution Licensee in any manner whatsoever shall be deemed to be a contravention of the provisions of these Regulations and the Maharashtra Electricity Regulatory Commission can initiate proceedings *suo motu* or on a complaint filed by any person to impose penalty or prosecution proceeding under Sections 142 and 149 of the Electricity Act, 2003.
4. If aggrieved by the non-redressal of his Grievance by the Forum, the Complainant may make a representation to the Electricity Ombudsman, 606, 'KESHAVA', Bandra Kurla Complex, Bandra (East), Mumbai 400 051 within sixty (60) days from the date of this order under regulation 17.2 of the MERC (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006.

**(Smt. Vaishali V.Deole )**  
Member

**(Prasad P. Bicchal)**  
Member Secretary

**(Dr. Bhaskar G.Palwe )**  
Chairman

**Consumer Grievance Redressal Forum Nashik Zone**

Copy for information and necessary action to:

- 1 Chief Engineer , Nashik Zone, Maharashtra State Electricity Distribution Company Ltd. , Vidyut Bhavan, Nashik Road 422101 (For Ex. Engr.(Admn)
- 2 Chief Engineer , Nashik Zone, Maharashtra State Electricity Distribution Company Ltd. , Vidyut Bhavan, Nashik Road 422101 ( For P.R.O )
- 3 Superintending Engineer, Maharashtra State Electricity Distribution Company Ltd. , Circle office, Malegaon

