

**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION COMPANY LTD.
NASHIK ZONE**

(Established under the section 42 (5) of the Electricity Act, 2003)

Phone: 6526484
Fax: 0253-2591031
E.Mail: cgrfnsk@rediffmail.com

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

**No. / CGRF /Nashik/Malegaon Circle/MND.Dn/674/06-18/19/
(BY R.P.A.D.)**

Date:

**Date of Submission of the case :20/04/2018
Date of Decision :**

To.

1. M/s. Indus Towers Ltd., .
2010, E-core, 2nd floor,
Marval Edge, Viman Nagar,
Pune 411014
(Consumer No.077588001833)

Complainant

2. Nodal Officer ,
Maharashtra State Electricity Distribution Com. Ltd.,
Circle Office Malegaon .

Distribution Company
(Respondent)

Executive Engineer,
Maharashtra State Electricity Distribution Com. Ltd.
Division Office ,Manmad

DECISION

M/s. Indus Towers Ltd , (hereafter referred as the Complainant) . Ahmednagar is the Industrial consumer of the Maharashtra State Electricity Distribution Company Ltd. (hereafter referred as the Respondent). The Complainant has submitted grievance against MSEDCL for non replacement of failed DTC as per SOP Regulation and hence compensation . 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. 21 of 2017 on 06 /03/2018.

The Forum in its meeting on 20/04/2018, decided to admit this case for hearing on 18/05/2018 at 2.00 pm in the office of the forum . A notice dated 27/04/2018 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, Circle Office Malegaon for submitting para-wise comments to the Forum on the grievance within 15 days under intimation to the consumer.

Shri. Rajaram D, Dongare, Executive Engineer, Shri. Sandeep B. Shinde, Dy. Executive Engineer represented the Distribution Company during the hearing. Shri D.S. Talware appeared on behalf of the consumer.

Consumer's Representation in Brief :

The Distribution transformer supplying electricity to our mobile tower site consumer No. 077588001833 at village Dhotane (BK) is failed transfer. The acknowledgement is attached here with. The concerned SDO have shown very passive approach towards consumer grievances despite of all directives of rules, regulations, guidelines and SOP Regulations.

Relief Sought:-

1. Please pass on necessary order to compensate the loss as per SOP (Item 2 (iv) at the rate of Rs. 50/- per hour from date of application to till it is restored as per SOP regulation.
2. Please pass on Rs. 10000/- towards mental harassment of company personals.

Arguments from the Distribution Company:

The Distribution Company submitted a letter dated 17/05/2018 from the Executive Engineer, Manmad Division office and other relevant correspondence in this case. The representatives of the Distribution Company stated that:

esbMI Vkkbl l ; kpk fotijobk da 077588001833 /kkV.ks g; k xkokr vl u l nj ijob; kps jkfg= fn- 23@10@2017 jksth [kjk >kY; kus rl k vgoky xkG.kh d{kk fr- 23@10@2017 jksth tek dsk- l nj l nHkkR ekgs vkDVkckj e/; s i= da 4 uq kj xkgdkus vtZ nk[ky dsk vkgs l nj jkgh= rikl ys vl rk l nj fBdk.kh xkgdkdMs 3 Qst fotijobk vl u R; koj cWjh] cWjh pktj] V; p vl k 1 Qst Hkkj pkyq gkrk- l nj jkgh=ps 2 Qst pkyr vl Y; kus xkgdkps 1 Qst fotijobk pkyq gkrk- rikl rikl .kh vgoky l gk; d vfHk; rk ; kuh fnyk vkgs l nj ckr xkgdkpk okij rikl yk vl rk fr- 23@10@2017 ikl u xkgdkpk okij ehVj fjMhæ iæ.k.ks vkgs vkDVkckj 2017 e/; s 1617 ; fuV] ekgs ukDga17 e/; s 65 vkf.k ekgs fMI c; 17 e/; s 2785 ; fuV okij >kY; kps fnl rs l nj xkgdkP; k oht okij kps l h-i-h-, y- l kcr tkMsys vkgs R; kpk okij l h-i-h-, y uq kj es 2017 yk 1834 ; fuVI } t u 2017 yk 85 ; fuVI - o tyS 2017 yk 2917 ; fuVI nk[kor vl Y; kus xkgdkpk fo| r ijobk pkyq gkrk- ek= l nj xkgdkP; k vkrhy oht ekM.kh e/; s dkgh [kjkch vl Y; kl R; kph dYiuk ; r ukgh- l nj xkgdkpk fr- 17@05@2018 pk LFKG rikl .kh vgoky l kcr tkMyk vkgs ; ko#u l nj xkgdkpk fotijobk ekgs vkDVksukDgsfMI a 2017 e/; s l # vl Y; kps fnl rs

Action by IGRC :

1. Internal Grievance Redressal Cell Malegaon Circle conducted hearing on 24/01/2018 for the complaint submitted on 22/12/2017 .
2. After hearing both the parties IGRC gave decision as per letter dated 30/01/2018 as under .

- 1- l nfhkz fok; kl vuq #u xkgdkpk fotijobk l # vl Y; kps fun'kLkl ; rs
- 2- oht xkgdkl dByhgh Hkji kbZ ns ukgh-

Observations by the Forum:

1. The Distribution transformer supplying electricity to the Mobile Tower site consumer No. 077588001833 at village Dhotane (BK) was failed and the grievance was registered on 23/10/2017 for replacement of failed transformer.
2. The consumer was having three phase connection. The consumer was using battery, battery charger and tube light which was running on single phase electric supply. It was observed that the transformer was having electric supply in two phase which is sufficient for the consumer to run the equipment such as battery ,battery charger and tube light. These equipments operate on single phase. As observed on the CPL that the electric supply of the consumer was in operation.
3. The transformer was replaced on 03/01/2018. However, failure of the transformer has not made disruption in functioning of the tower.

After considering the representation submitted by the consumer, comments and arguments by the Distribution Company, 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 one month and the concerned Nodal Officer shall furnish intimation of such compliance to the Forum.
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