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Consumer Grievance Redressal Forum  
“Vidyut Bhavan”, Gr. Floor,  
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Mumbai – 400078.

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REF.NO. Member Secretary/CGRF/MSEDCL/BNDUZ/ 199/347      Date: 31.10.2019

**Hearing Date: 18.12.2018**

**Sanction of Temporary other power supply of 05 Kw in r/o.Mr. Chetan K. Kedhia**

**CASE NO.199/2019**

**Shri. Chetan Kheraj Dedhia,  
102,104,105&106,Kuldeep Ischaya,  
N.S.Road, Mulund (W)-400080.**

. . . . (Hereinafter referred as Consumer)

**Versus**

Maharashtra State Electricity Distribution Company Limited  
through its Nodal  
Officer,  
**Thane Circle,Thane**

. . . (Hereinafter referred as Licensee)

**For Consumer –** Mr. Chetan K. Dedhia - Consumer

**Appearance : For  
Licensee**

Shri. S.S. Kuril  
Addl.EE,MSEDCL, Pachrasta  
Sub Division.

**[Coram- Dr. Santoshkumar Jaiswal - Chairperson, Shri. Ravindra Avhad -Member  
Secretary and Sharmila Ranade - Member (CPO)].**

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 Redressal 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

subsection 5 to 7 of section 42 of the Electricity Act, (36/2003). Hereinafter it is referred as 'Regulation'

The consumer has filed his grievance and appeal against IGRC order dt. 22.10.2018, applicant alleged that the applicant was detected by IGRC on illegal and unsustainable ground & MSEDCL rules & regulations are not followed.

Applicant further, alleged that they want to occupy the premises on the auspicious occasion on "Dasara", but, due to non availability of electricity supply, they are unable to occupy. Therefore, urgent hearing may be taken and respondent may be directed to give the supply. The applicant are ready to pay all the charges as per rules.

The respondent appeared and filed their reply on dt, 18th Dec., 2018 and submitted para wise reply as under :

Proposal of M/s. Tridev Realty & Construction Pvt. Ltd. Kuldeep Niwas, CTS No. 936/1 & 2, 937, 937/1 to 12, Mulund (W), for 64 Nos. of Residential purpose, 8 Nos. of Commercial purpose and 1 No. of common and 1 No. of fire fighting purpose, received from The Superintending Engineer, Circle office, Thane.

In the same proposal vide ref. no. 30 & 31, M/s. Arvind Electricals on behalf of the builder M/s. Tridev Realty & Construction Pvt. Ltd. had submitted their request letter vide under the ref. No. 32, to release 3 Nos. of commercial connections out of 8 Nos. of commercial connections at urgent basis as to give possession before 18.03.2018 in view of Gudhipadava. As the same was forwarded by SE (TUC) the proposal was sent to the section office for further proceedings.

Proposal was sent to AE, Lokeverest for feasibility vide under ref.No.11.

AE Lokeverest submitted separate 2 Nos. of feasibility vide ref.No.28, one is for total 76 Nos. of connections, total load of 383.77 kw 197.48 kw considering DF) as per the group proposal.

Separate feasibility for 3 Nos. of commercial connections total load of 31.12 kw ( 20.74 kw considering DF) on name of M/s. Tridev Realty & Construction Pvt.Ltd. These connections are feasible from existing pillar and RI not required. These 3 nos. of permanent connections released on temporary basis from existing infrastructure as to shift to the new infrastructure as per the group estimate sanctioned after completion of the work as per the sanctioned estimate.

The proposal then forwarded to the higher authority vide the letter under ref.No.9, for sanction. Necessary documents, estimate, VR sheet and technical data sheets were submitted. These connections are feasible from existing DTC after completion of proposed work as per the estimate. The estimates was framed amounting Rs. 364477/- & the load calculated is 383.77 kw. (197.48 kw considering DF) amounting Rs. 428000/-. The infrastructure required and submitted for the same is 1 no.of 4 way pillar, 1 nol. Of 6 was pillar and LT XLPE 3.5C/300 sqmm double run cable of 150 rmt. ( total 200 rmt.) As applicant is ready to execute the estimated work.

At the same time and with the same letter, as and when along with proposal was received from the circle office the necessary documents, estimate, VR sheet and technical data sheets for 3 Nos,. of connections were also submitted and the same was clearly mentioned in covering letter while sending the proposal of both group and 3 Nos. of connections. Feasibility of 3 Nos. of connections was given from nearby existing DTC. The estimate was framed amount to Rs.11215/- and the load calculated is 31.12 kw ( 20.74 kw considering DF) amounting Rs.29000/-. The infrastructure required and submitted for the same is LT XLPE 3.5 C/120 sq.mm total 30 rmt.

The estimate i.e. group estimate for total 76 Nos. and 3 nos. of commercial connections got sanctioned from Thane circle office vide the sanction under ref. no.

5 & 6 by only one sanction no.SE/TUC/Tech/Non-DDF(CC&RF)/2017-18/156 dt. 26.3.2018.

In view of the 3 Nos. of connection sanction further processes completed along the time. i.e. WCR for the work submitted vide letters under ref.No.8, 10, & 29 to the higher offices. The charging permission received from the circle office Thane.

On receiving of the charging permission, released supply to commercial purpose connection only.

All the processes in view of releasing the above commercial connection have been completed by M/s Tridev Realty & Construction Pvt.Ltd. i.e. completion required infrastructure as per the estimate sanctioned for 3 Nos. of commercial connections vide the ref.no.5, MCGM part o/c. occupied documents, EI permission, etc.

After that applications for 4 Nos. connections were received to this office, on name of Chetan Kheraj Dedhia but belongs to 1st floor of the site as per sanction given to /s Tridev Realih & Construction Pvt/ Ltd as per sanction.

Giving connection on ground floor if part occupancy certificate is acquired from MCGM, amongst group sanction is normal practice, but for the first and other floors it is not till given.

Although, as Shri Chetan K. Dedhia, press harder and made numerous complaints, the matter was addressed to the legal adviser.

According to the letter vide ref.no.3 from The Legal adviser Kalyan Zone (Annexure 1) is enclosed herewith according to which, it was instructed not to release the above 4 connections and also it was instructed to disconnect the previously released 3 nos. of connections which was sanctioned vide the sanction ni. As per ref.no.5 as these 3 connections are on ground floor and part occupancy certificate for these 3 connections.

After this, as per the instructions given by Hon.ble Chief Engineer, MSEDCL., Bhandup Zone in meeting conducted at Thane circle office in presence of The Superintending Engineer, MSEDCL. Thane Urban Circle, The Executive Engineer (Adm.) MSEDCL Thane Urban Circle. The Executive Engineer, MSEDCL., Mulund Division on dt. 4.10.2018, 4 Nos. of connections in r/o Shri Chetan Dedhia was sent for sanction to higher authority.

Also, Applicant Shri. Chetan Dedhia has submitted indemnity bond and letter as per the instruction of Hon.ble Chief Engineer, MSEDCL., Bhandup Zone.

Then, 4 Nos. of connection have been sanctioned on temporary basis vide sanction under reference no.17 to 20 (Annexure -2 to 5), and connections have been released vide letter under reference no.21 to 24 (Annexure – 6 to 9) on dt. 14.11.2018. All the copies are enclosed herewith for your easy reference please.

On hearing both side at length the admitted fact before me are the applicant are ready and willing to pay all the necessary charges and comply with the rules, it is also admitted facts that Six floor are completed in the building . It is also admitted fact that on 1st floor temporary connection have been granted by the utility. There was a sanction of 76 groups for electricity supply, but, the applicant supply is only restraint for not grant of OC. and NOC of the tower.

Looking to the circumstances, the possession have been occupied by the applicant and Six floors of the building are completed and utility have already granted electricity connection of 1st floor, therefore, the claim of applicant or grievances of the applicant appears to be the proper one and therefore, the electricity supply is issue to the applicant as per rules. Hence, we have passed the following order.

### **ORDER**

1. This application is here by partly allowed.

2. The utility is hereby directed to issue the permanent connection to these applicants on payment of necessary charges and compliance as per rules.

No order as to the cost.

**I Agree/Disagree**

**I Agree/Disagree**

**MRS. SHARMILA RANADE,  
MEMBER  
CGRF, BHANDUP**

**Dr. SANTOSHKUMAR JAISWAL  
CHAIRPERSON  
CGRF, BHANDUP**

**MR. RAVINDRA AVHAD  
MEMBER SECRETARY  
CGRF, BHANDUP**

The order is issued under the seal of Consumer Grievance Redresses Forum M.S.E.D.C. Ltd., Bhandup Urban Zone, Bhandup.

**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, Keshav Building, Bandra - Kurla Complex, Bandra (E), Mumbai - 400 051"
- b) b) consumer, as per section 142 of the Electricity Act, 2003, can approach Hon'ble Maharashtra electricity Regulatory Commission for non-compliance, part compliance or
- c) Delay in compliance of this decision issued under" Maharashtra Electricity Regulatory Commission ( consumer Redressed Forum and Ombudsman) Regulation 2003" at the following address:-  
"Maharashtra Electricity Regulatory Commission, 13<sup>th</sup> 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.