

BEFORE THE ELECTRICITY OMBUDSMAN (MUMBAI)

(Appointed by the Maharashtra Electricity Regulatory Commission
under Section 42(6) of the Electricity Act, 2003)

REPRESENTATION NO. 72 OF 2024

In the matter of delay in releasing new electric connection

Arun A. More..... Appellant

V/s.

Maharashtra State Electricity Distribution Co. Ltd., Virar (MSEDCL)..... Respondent

Appearances:

Appellant : None

Respondent : 1. Mahesh Madhvi, Addl. Ex. Engr., Virar divn.
2. Prashant Rode, Dy. Ex. Engr., Virar divn.
3. Ananda More, Section Officer

Coram: Vandana Krishna (Retd. IAS)

Date of hearing: 2nd August 2024

Date of Order: 12th August 2024

ORDER

This Representation was filed on 18th April 2024 under Regulation 19.1 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2020 (CGRF & EO Regulations 2020) against the Order dated 2nd February 2024 passed by the Consumer Grievance Redressal Forum, MSEDCL, Vasai Zone (the Forum). The Forum dismissed the grievance application in Case No. 73 of 2023.



(Dilip Dumbre)
Secretary

Electricity Ombudsman Mumbai




2. The Appellant has filed this representation against the order of the Forum. An e-hearing was held on 2nd August 2024. The Respondent attended the hearing through video conferencing; however, none was present on behalf of the Appellant. The Appellant's submissions and arguments are stated as below: *[The Electricity Ombudsman's observations and comments are recorded under 'Notes' in brackets where needed.]*

- (i) The Appellant applied online for a new Residential connection on 21.05.2023 at Flat No. 105, Sitaram Bhavan, Agashi, Bhat bandar, Arnala, Virar with requested sanctioned load of 0.2 KW. However, the application status was 'Estimate Rejected (Paid Online)' for the reason that 'Consumer Not interested for Connection (Reject Application)'. This is false. The consumer was personally following up regarding the application. Electricity is a basic amenity, but that the Appellant has not given 2 single phase connections. 298 days have passed since the Appellant is without electricity. PM Saubhagya Scheme 2023 states that:

केंद्र सरकार ने हर गांव और शहर के हर घर को बिजली मुहैया कराने का लक्ष्य तय करते हुए प्रधानमंत्री सौभाग्ययो जना 2023 के तहत 16,320 करोड़ रुपये का बजट आवंटित किया है. The Appellant referred to the Regulations 5.35.1, 2 & 3 of the MERC Supply Code, 2005, which state that if the licensee does not conduct a site inspection within a specified time frame, the load applied for shall be deemed to be sanctioned. Additionally, Section 43 obliges the distribution licensee to supply electricity to the premises within a month of receiving an application, placing a duty on them to fulfil the owner's or occupier's request.

- (ii) There are 2 wings of the concerned building with total 36 flats. During the hearing, the Respondent informed that Construction work is incomplete; and the builder is not available. Buildings have not received completion certificate yet. As per the Respondent's reply at the Forum's level, only two applications out of 36 flats had come for new connections. It was clarified that since there is no Distribution Transformer Centre (DTC) nearby, no connections can be released unless infrastructure / network is developed along with new DTC at the location. The Respondent suggested that the


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai




consumers who have occupied can apply for group connections under DDF or NSC scheme. *[Note: The present representation is filed by one consumer for one connection.]*

- (iii) The Appellant has a need for two connections, and for the past 298 days has been deprived of this basic right. To what extent is it possible to run behind other 34 owners & force them to apply for new connections. *[Note: This was actually the responsibility of the builder.]* The Respondent released a commercial connection on the ground floor of the same premises.
 - (iv) There was no communication with regard to the requirement of infrastructure conveyed by the Respondent (MSEDCL), & no documentary evidence was produced during the Forum's hearing. If the work had to be done under NSC / DDF, then why was it not communicated to the Appellant in the stipulated time.
 - (v) Standard of Performance was not followed by the Respondent from the last week of October 2023 onwards. The Respondent informed that the application was cancelled because "the consumer is not interested". Where is the documentation of this?
 - (vi) The Appellant prays that the Respondent be directed to release the new connection of electricity supply as soon as possible, and to award SOP Compensation for delay in providing electricity supply.
3. The Respondent filed its reply dated 23rd July 2024. Its submissions and arguments are stated as below: -

(i) **Application for New Residential Connection:**

The Appellant approached the section office Agashi for a new residential connection on 17.05.2023. However, the building being a cooperative housing society and hence a group connection, infrastructure (DTC etc.) needed to be developed first. The individual connections could not be provided without that.

(ii) **Forum's Order:**


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai



Aggrieved by the delay in the new service connection (NSC), the Appellant approached the Forum on 24.11.2023. Since it was a case of a group connection, the Forum passed an order on 02.02.2024 stating that the connections would be released after the commissioning of the new DTC.

(iii) **Proposal for Estimate Sanction:**

Subsequently, this office submitted a proposal for estimate sanction for DTC to the higher Authority, which was sanctioned on 05/06/2024.

(iv) **Completion of Work and Release of Connections**

The work will be completed only after all the flat owners pay the service connection charges. After that, all the connections in the building will be released. A copy of the sanctioned estimate is kept on record.

(v) **Application to Ombudsman Office:**

On 18.04.2024, the Appellant submitted an application to the Ombudsman Office.

(vi) **Release of Individual Connections:**


In the meantime, on 19.06.2024, two individual connections in the name of Mr. Arun A. More were released upon submission of an undertaking.

(vii) In view of the above, the grievance of the consumer has been resolved, and the consumer is now satisfied and has given an undertaking that the core complaint of new connection is resolved.

Analysis and Ruling

4. The hearing was scheduled, and the Respondent attended the hearing through video conferencing. No one was present from the Appellant's side. The grievance related to the delay in releasing the residential connection.

5. The Respondent contended that it was not possible to release individual connections to flats due to non-availability of infrastructure / network and installation of DTC. There are 2 wings of the building with 36 flats with incomplete construction work. Hence, the Respondent


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai



advised the Appellant to apply under a Group connection wherein an estimate for infrastructure will be prepared and thereafter the connections will be released as per the due procedure.


6. However, at the time of the hearing, the Respondent had already released two individual connections on 19.06.2024 in the name of Mr. Arun A. More upon submission of an undertaking. Therefore, the grievance is now resolved.

7. We express our displeasure on the act of the Appellant of not informing this Authority of his grievance being resolved by the Respondent. Despite this, on the day of the hearing, this office had also called upon the Appellant's representative to join the online hearing on the link sent, but no information that his grievance had been resolved was given. This is nothing but wastage of important time and resources of this authority. In view of the above, a cost of Rs.3000/- is imposed on the Appellant.

8. The Respondent is directed to recover the cost of Rs.3000/- from the Appellant's ensuing bill and send it to this office in coordination with the secretariat of this office.

9. The Representation is disposed of accordingly.

Sd/
(Vandana Krishna)
Electricity Ombudsman (Mumbai)


(Dilip Dumbre)
Secretary
Electricity Ombudsman Mumbai

