

Before the
MAHARASHTRA ELECTRICITY REGULATORY COMMISSION
World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai 400005
Tel. 022 22163964/65/69 Fax 22163976
Email: mercindia@merc.gov.in
Website: www.mercindia.org.in / www.merc.gov.in

Case No. 44 of 2017

Date: 1 June, 2017

CORAM: Shri. Azeez M. Khan, Member
Shri. Deepak Lad, Member

Petition of Shri. Mangesh Madhukar Pandit against MSEDCL for non-compliance of the Electricity Ombudsman, Mumbai's Order dated 18.05.2016 in Representation No. 28 of 2016.

Shri. Mangesh Madhukar PanditPetitioner

V/s.

Maharashtra State Electricity Distribution Company Limited (MSEDCL)....Respondent

Appearance:

For the Petitioner:Shri.M. M.Pandit (Petitioner)

For the Respondent:Shri.E. V.Mamilwad (Rep)

For Authorized Consumer Representative:Dr.Ashok Pendse (TBIA)

Daily Order

Heard the Petitioner and Representative of MSEDCL.

1. Petitioner stated as follows :
 - a) He re-iterated the submissions as stated in the Petition. He stated that he had applied for a new single phase residential connection on 14 August, 2012. As the connection was not released, he filed grievance before the CGRF, Ratnagiri. In spite of the CGRF, Ratnagiri's Order dated 6 November, 2015 that the connection should be released before 31 March, 2016, it was not released.
 - b) Being aggrieved, he filed his Representation before the Electricity Ombudsman (EO), Mumbai. The EO, Mumbai in Order dated 18 May, 2016 ruled that, if the connection is not released before 31 May, 2016, a fine of Rs.500/- per day from 1 June, 2016 till the connection is released should be paid to the Petitioner. MSEDCL released the connection on 27 April, 2017.

2. To a query of Commission regarding the compensation to be paid to the Petitioner by MSEDCL as per EO Order, Petitioner stated that he must be compensated as per the provisions in the law.
3. Representative of MSEDCL stated that:
 - a) Petitioner applied for the connection on 14 August, 2012, which required extension work of 4 poles. As this connection was sanctioned in the DPDC Scheme, it required funds sanction from the Collector, which was sanctioned on 15 October, 2015, followed by intimation of connection charges to the Petitioner on 2 January, 2016.
 - b) Since MSEDCL did not give connection within the stipulated time, the Petitioner filed his grievance before the CGRF on 06 November, 2015, which directed MSEDCL to release the connection before 31 March, 2016.
 - c) As the Konkan region is a hard rock area, the excavation of the pole pits involves use of breaker thereby increasing the cost of excavation. Hence, no contractors were willing to execute the works at the low schedule of Rates, which resulted in almost stoppage of all works during 2011 to 2015. These rates were subsequently increased and the work of the Petitioner was started. However, the Petitioner objected to erecting RSJ poles because of rusting issues over a period of time and requested that work should be carried out on the PSC poles.
 - d) There was a shortage of PSC poles. However, after the EO Order and after the availability of PSC poles, work was completed and the connection was belatedly released on 27 April, 2017.
4. The Commission expressed its displeasure on MSEDCL with regards to its attitude towards Orders of the EO and CGRF and SoP Regulations. The Commission asked MSEDCL why the compensation as per the EO Order is still not paid to the Petitioner. Representative of MSEDCL replied that the higher authorities of MSEDCL has been informed that the compensation should be paid to the Petitioner, but approval is awaited.

The Case is reserved for Order.

**Sd/-
(Deepak Lad)
Member**

**Sd/-
(Azeez M. Khan)
Member**