

BEFORE THE FORUM FOR REDRESSAL OF CONSUMER GRIEVANCES
ADANI ELECTRICITY MUMBAI LIMITED

1st Floor, Devidas Lane, Off. S.V.Road, Near Devidas Lane Telephone Exchange,
Borivali (West), Mumbai – 400103.

E-mail : Consumerforum.Mumbaielectricity@adani.com Website :
cgrf.adanielectricity.com Tel.No.:022-30094247

Grievance Application No. 29/2018 Date : 16/10/2018

Mrs. Premlata Gulab Tiwari , 280/B, Saibaba Chawl, Moru Compound,
KurarVillage, Appa Pada, Malad (West) Mumbai 400097.

Application No. 1021631120, Residential, Central Division

Mrs. Premlata Gulab Tiwari Applicant / Complainant

Adani Electricity Mumbai Ltd. (AEML) Respondent/Utility

Order dated 14/12/2018 of Hearing dated. 23/11/2018

PRESENT

1. Mr. Rajiv Nakhare, Sr.Vice President (Adani Electricity Mumbai Ltd.) – Member.
2. Mr.Milind Gandbhir – Member , (CPO).

On behalf of Adani Electricity Mumbai Ltd.(AEML) present for Hearing dated
23/11/2018

1. Mr.Mritunjay Jha, (Dy.General Manager) Nodal Officer
2. Mr.Suresh Patil, (Dy.General Manager) Central Division
3. Mr. Lokesh Raut (General Manager), Central Division

On behalf of Applicant / Complainant present for Hearing dated 23/11/2018

1. Mr. Shantilal Patel (Representative of the Applicant/Complainant)

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Being unsatisfied by the Minutes of the Meeting of IGRC (Internal Grievance Redressal Cell) dated 11/07/2018 , the Applicant/Complainant has filed her grievance in this Forum stating that there is a delay in providing separate meter connection for sub-division of load to her premises at first floor mentioned above.

Contention of the Complainant / Applicant in short:

- i. It is submitted by the Applicant / Complainant she had applied for new connection through Application No.1021631120 on 08/12/2016 as a separate meter by sub-division of load for the First Floor of her premises situated at 280/B, Saibaba Chawl, Moru Compound, Kurar Village, Appa Pada, Malad (East), Mumbai 400097 .
- ii. The Applicant / Complainant submitted that she is already using electric supply for commercial purpose at the Ground Floor of the aforesaid premises.
- iii. It is the contention of the Complainant that she was asked to submit ownership documents for the First floor which she was unable to provide as it is a slum structure which has First floor and so no separate documentation such as Ration card etc is obtained.

Contention of the Nodal Officer of Respondent (AEML)

- iv. The Nodal Officer of the Respondent/Utility denied all the allegations made by the Complainant and has submitted that the complainant is not having locus standi as this complaint is not covered under the

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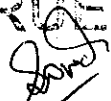
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ambit of definition of Consumer as defined under section 2(15) of Electricity Act,2003 (EA'03)

- v. The Nodal Officer of the Respondent/Utility stated that Section 43 of the Electricity Act, 2003 (the EA'03) casted obligation on the Distribution Licensee to provide electric connection to the owner or occupier of any premises only in such conditions when the applicant submits the application is complete in all respects.
- vi. The Nodal Officer of the Respondent submitted that an electric connection to the premises of the consumer at ground floor has already been given having CA No 101142181 meter no.7268313 under commercial category. Now the applicant has applied for the new electric connection vide Application No. 1021631120 dated 08/12/2016 for the first floor of the premises but she did not submitted any documents which indicates that it is separate premises and/ or to show the occupancy of the same. It is submitted that the Respondent vide its letter dated 20/12/2016 informed the Complainant about the discrepancy in documents and requested to comply with the same. Thereafter, the Complainant submitted another application for new electric connection on 06/02/2017 to which the Respondent sent letter dated 16/02/2017 & 18/10/2017 and requested the Complainant to submit relevant documents. However

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the Complainant has yet not submitted the required documents to process her application.

- vii. The Nodal Officer of the Respondent further submitted that instead of complying with the requisite formalities of getting the electric connection in accordance with Electricity Act'2003 and the Supply Code, 2005, the Complainant has filed the grievance before the IGRC. In the IGRC hearing/meeting the Complainant admitted that they do not have documents for the first floor premises and the Ration card of the Complainant has been cancelled and transferred at the address of Mira Road residence. In it's decision in the hearing/meeting, the IGRC informed the Complainant to submit the fresh application along with relevant documents as per the provisions of the Supply Code,2005.
- viii. The Nodal Officer of the Respondent/Utility contended that there is no delay on part of the Respondent in any way as alleged by the complainant and hence he denied the demand of penalty or compensation as claimed by the Complainant in her application.

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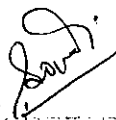
Observations of the Forum :

1. The application for the new meter connection for the First Floor premises of the Applicant/Complainant was submitted by her at the Respondent's office vide application no.1021631120 on 08/12/2016 for residential purpose .
2. The Applicant/Complainant is having a commercial premises/gala at the ground floor bearing C.A. No.101142181 , Meter No.7268313.

The structure, for which the new meter connection at First Floor for residential purpose is submitted, is situated in slum area. The Applicant/Complainant is having ownership documents of the premises and there is no separate ownership documents for the First Floor.

3. As the ground floor premises is used for commercial purposes, the supply must have not been released based on documents required for residential purpose.

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In view of this, we are inclined to allow the present application. Hence, following Order is passed :

ORDER

1. The application is allowed.
2. The Respondent is directed to re-consider the application for the first floor premises of the Applicant/complaint to give her electric connection by taking the necessary documents as per the supply code.
3. No order as to cost.

Dated : 14th December'2018

Place : Borivali, Mumbai

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sd/-

Rajiv Nakhare
Member - CGRF

sd/-

Milind Gandbhir
Member - CGRF