

**CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.**

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440 013

SHRI V.R.Khobragade,IAS(Retd)
Chairman

PH.(R)2457651(M)9923136412 (O) 0712- 2022198

Shri M.G.Deodhar,
Member

(M)9422805325

NO. CGRF/NZ/R/

Date :

**Certified copy of order dtd 4th April,2009 in Case No. 89/2009 is
enclosed herewith.**

Member-Secy/ Exe.Engineer,
C.G.R.F.(NZ-R)MSEDCL
N A G P U R

Copy to:-

1. Shri Baban Bhagwanji Borkar, Yashwantnagar, Near Wooden Stall, At-Post-Tah-Hinganghat, Dist-Wardha.
2. The Chief Engineer,Nagpur Zone (Rural)MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.
3. The Exe.Engineer/N.O., O&M Circle Office, MSEDCL.Wardha, --
4. The E.E.,C.C.O&M Dn., MSEDCL, Hinganghat.for information and necessary action.

Address of **the Electricity Ombudsman** is given as below.

Office of - **The Electricity Ombudsman,**

Maharashtra Electricity Regulatory Commission,
606-608, Keshava Building,
Bandra-Kurla complex,
MUMBAI- 400 051

TEL.- 022 - 26592965 (Direct)
022 - 26590339 (Office)

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
M. S. ELECTRICITY DISTRIBUTION CO.LTD.**

(NAGPUR ZONE – RURAL) NAGPUR.

Application/Case No. CGRF/NZ/Rural/ **89** of 2009

Applicant : Shri Baban Bhagwanji Borkar, Yashwantnagar, Near Wooden Stall,
At/Post/Tahsil- Hinganghat, Dist-Wardha.

-- VS --

Non-applicant : 1.Executive Engineer/Nodal Officer, I.G.R.C,
Circle Office,M.S.E.D.C.L., Wardha.
2.Executive Engineer,C.C.O&M Dn., M.S.E.D.C.L., Hinganghat

Present : 1.Shri V.R.Khobragade,Chairman
2.Shri M.G.Deodhar,Member
3.Shri D.K.Choudhari,Member/Secy.

Appearance. : 1. Shri B.V.Betal, Representative of Applicant present.

1. Shri S.M.Ghade,,E.E./N.O.,Wardha
2. Shri R.K.Giri, Dy.E.E.
3. Shri P.R.Ghorude,A.E.
For Non-Applicants.

ORDER

(Passed this 4TH day of April,2009)
(Per Shri V.R. Khobragade, CHAIRMAN)

1. Being aggrieved with the order passed by I.G.R.C., Wardha, the Applicant filed an Application in form schedule 'A' as per MERC (CGRF&EO) Regulations, 2006 to Forum on 5th February,2009 requesting to set aside the order of I.G.R.C.,Wardha and consider the request of compensation as admissible under Regulations in force and also direct the D.L. to refund an excessive amount credited towards demand note.
2. After receipt of his application, the Forum issued acknowledgement to Applicant, called parawise comments of the non-applicants(hereinafter called 'DL'/'NA'), a copy of the parawise comments was sent to the Applicant, issued notices to both the parties, finally heard both the parties on 19/3/2009. Forum thus, offered a fair,

reasonable and adequate opportunity to both the parties for submission of their say in the matter.

3. The brief history in the case is that one Shri B.B.Borkar applied for energisation of agricultural pump on 3/4/2006 and credited amount towards demand not on 4/6/2007 and submitted test report on 5/6/2007. Despite of formalities completed on behalf of Applicant, the D.L. failed to provide electrical connection to agricultural pump though admissible period under S.O.P.Regulations,2005 was over. The Applicant, therefore, made application to I.G.R.C., Wardha and I.G.R.C. awarded compensation of Rs. 2600/- to the Applicant. Being aggrieved with the order, the Applicant filed an application before Forum through his representative duly authorized by the Applicant
4. On the date of hearing both the parties were present and they were heard carefully. Both the parties reiterated the same points as mentioned in the application as well as parawise comments. The Applicant requested for refund of excessive amount paid towards demand note and also to award Rs. 20,000/- for mental torture and Rs. 15,000/- for expenditure occurred for the proceedings. The non-applicants contended that the Applicant will get power connection as per availability of material and according to the seniority list contained in the waiting list.
5. Forum have carefully gone through the records and observed that Applicant applied for power connection to his agricultural pump on 3/4/2006 and the said Application was sent to J.E. for spot inspection on 9/6/2006. The J.E. concerned has submitted plan and estimate to A.E. on 15/11/2006 and the said proposal was approved by A.E. on 20/11/2006. It means that J.E. concerned has delayed spot inspection for about 21 weeks and therefore J.E. is held responsible to pay compensation of Rs. 2,100/- (Rs.100 per week x 21 weeks= Rs. 2,100/-). The demand note was issued on 14/12/2006 and the said was complied with by the Applicant on 4/6/2007 and test report was submitted on 5/6/2007- From 5/6/2007 the D.L. has to provide power connection to the Applicant within one month from the date of submission of test

report. In this case no power connection has been provided so far till filing an application before this Forum. Thus there has been a delay of 76 weeks and company is, therefore, responsible to recover payable amount of compensation of Rs. 7,600(Rs. 100 per weeks x 76 weeks= Rs. 7,600/-) to be paid to Applicant as compensation. As regards excessive amount paid towards demand note, the D.L. has to refund an amount of Rs 2,110/- to the Applicant as per instructions contained in the circular dtd. 26/9/2006. The Applicant has not produced any evidence in support of his mental torture made by the official(s) of D.L. and, therefore, his request of compensation of Rs. 20,000/- towards mental torture is rejected. The Applicant further has not furnished any documents or evidence in support of his expenditure incurred on proceedings right before I.G.R.C. and Forum and, therefore, the said request has also been rejected. The Applicant will be entitled to get compensation as per Regulations till he gets connection to his agricultural pump.

6. The Forum thus unanimously pass the following order.

-: ORDER :-

1. The order passed by I.G.R.C. is modified and application is allowed.
2. Compensation of Rs. 2,100/- is to be recovered from concerned J.E. and paid to the Applicant.
3. Compensation of Rs. 7,600/- is to be recovered from concerned official(s) and paid to the Applicant.
4. Excessive amount of Rs. 2,110/- is to be paid to the Applicant.
5. All the amount is to be paid to the Applicant within 3 months from the receipt of this order.
6. No order to costs.
7. Parties be informed accordingly.

SD/-
(V.R.KHOBRADE)
CHAIRMAN

SD/-
(M.G.DEODHAR)
MEMBER

SD/-
(D.K.CHOUDHARI)
MEMBER/SECY

CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L.(NAGPUR ZONE – RURAL)NAGPUR

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