

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 21/2013

Shri Kailas Deorao Gawali
At. Po.Allipur
Tq.Hinganghat
District - Wardha.

Complainant

,,VS.,

1. Executive Engineer,
MSEDCL,O&M Division,
Hinganghat.
2. Executive Engineer/Nodal Officer,
I. G. R. C., Circle Office,
MSEDCL,Wardha.

Respondents

Applicant represented by 1) Shri N.N.Behare

Respondents represented by 1) Shri Prashant Ingale, Junior Engineer,Hinganghat.

CORAM:

Shri Vishnu S. Bute, Chairman.
Adv. Gauri D. Chandrayan, Member
Ms. S. B. Chiwande, Member-Secretary.

JUDGEMENT

(Delivered on this 03rd day of May, 2013)

2. Shri Kailas Deorao Gawali At.Post Allipur Tq.Hinganghat Dist. Wardha has filed this application in the prescribed proforma on 18-03-2013. He demanded compensation pursuant to the provisions of Regulation 12 of the MERC (S.O.P.) Regulation, 2005 for late release of electric connection to his agricultural pump. A notice was issued to the respondent. The respondent submitted the parawise reply on 02-04-2013. A copy of the same was given to the applicant. The matter was taken up for hearing on 29-04-2013. Shri N.N.Behare, a representative was present for the

applicant. Shri Prashant Ingale, Junior Engineer, Hinganghat was present for the respondent. Both the parties were heard.

3. Brief details of the grievance as stated by the applicant are as under,

The applicant submitted an application for supply of electricity to his agricultural pump on 21-02-2011. The respondent issued demand note on 12-07-2011, intimating the charges for giving supply. The applicant deposited an amount on 20-07-2011. He submitted the test report on 09-08-2011. The connection is not released till now.

As the connection is not released till today, he suffered a loss to his agricultural produce. Further more he demanded compensation as per rule.

The applicant requested that the respondent may be directed to release the power connection immediately. He may be awarded the compensation as stated above. The order passed by the IGRC Wardha is improper. So it may be set aside.

4. The representative of the respondent referred to the written reply dated 02-04-2013. The representative stated that the applicant submitted application on 21-02-2011. He was given demand note on 16-07-2011. The applicant deposited the amount on 20-07-2011 and the test report was submitted on 08-09-2011.

It was further stated that the applicant submitted the grievance application after a period of 60 days after the order of the IGRC Wardha. So the application is time barred. To provide connection to the applicant L.T. line admeasuring 0.06 Km is necessary. For want of requisite materials the request of the applicant could not be granted in time. His name is included in the paid pending list of the year 2011-2012. The work order of the applicant's who deposited the amount during the period Jun-2010

to March-2011 has been given to M/s Renuka Electricals Nagpur. The applicant deposited the amount after March, 2011. So some more time is necessary to provide him a connection..

In view of the facts mentioned above there is no delay in providing the connection to the applicant. So the application may be dismissed.

5) According to the Member Secretary of this Forum, supply of electricity to agricultural pumps is carried out under SPA Scheme as per the guidelines given by REC. There is no intentional delay for providing electric connection to complainant's agricultural pump. But because of huge pendency of agricultural pump applications, it is provided as per seniority list, otherwise it will cause great injustice on the part of other applicants who have paid the demand prior to the complainant. The complainant's cause of grievance about payment of compensation for delay in giving supply will arise only when supply is given to him. In this case the supply is not yet given. The complainant's prayer for compensation for delay in giving supply is premature, in view of the order passed by Hon'ble Electricity Ombudsman, Mumbai in representation No. 32/2010. Therefore, the respondent is not responsible for any losses caused to the complainant. Hence the complainant is not entitle for compensation.

6. We have carefully gone to the entire record of the case documents produced by the parties and also submissions made before us by both of them. On perusal of the record and as admitted by both the parties the applicant .deposited amount on 20-07-2011 and submitted the test report on 08-09-2011. So his application was complete on 08-09-2011. For giving supply to the applicant erection of 0.06 Km L.T. line is

necessary. So as per the provision contained in Regulations 4.5 of the MERC (S.O.P.) Regulation 2005 the applicant was entitle for connection within a period of three months i.e. by 08-12-2011. The connection is not released to till now. So the applicant is entitle for compensation as provided under Regulation 12 and appendix A, item 1(iii) attached to the said Regulations.

The respondent also stated that the application is time barred. However this show the casual and irresponsible approach of the respondent towards the proceeding. The IGRC passed order on 08-02-2013. The applicant presented this application on 18-03-2013. So the statement that the application is time barred is totally false. In absence of any evidence much less reliable and cogent evidence, we are not inclined the accept other claims of the applicant.

The respondent can not deny the binding effect of the MERC (S.O.P.) Regulations 2005. So in view of the provisions under Regulations 4.5, we pass the following order, by majority,

ORDER

- i) The application no.21 / 2013 is partly allowed.
- ii) The respondent is directed to pay compensation @ Rs.100/- per week from 09-12-2011 to 30-04-2013.
- iii) For further period, the respondent shall continue to pay compensation to the applicant @ Rs.100/- per week till electric connection is released to the applicant.
- iv) The respondent shall report the compliance of this order within 90 days from the receipt of this order.

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

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,

NAGPUR – 440 013

(O) 0712- 2022198

Email.id- cgrfnz@mahadiscom.in

cgrfnz@gmail.com

NO. CGRF/NZ/

Date :

Certified copy of order dtd 03rd May,2013 in Case No.21 / 2013 is enclosed herewith.

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

To,

Shri Kailas Deorao Gawali, At.Po.Allipur, Tq.Hinganghat, Dist.Wardha

Copy s.w.r.to :-

1. The Chief Engineer(NZ), MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.

Copy f.w.cs.to:

1. The Executive Engineer/Nodal Officer., O&M Circle Office, MSEDCL.Wardha
2. The Executive Engineer,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,

12, Srikrupa, Vijay Nagar,

Chhaoni, Nagpur-440 013

0712-2596670

