



vide order passed under no.SE/Wardha/Tech/IGRC/488 dated 28-01-2014. Feeling aggrieved by the aforesaid order, the applicant presented the instant application under the provisions contained in Regulation 6.4 of the MERC (CGRF and E.O.) Regulations 2006 on 10-03-2014.

3. A copy of the application was given to the respondent. The respondent was directed to submit parawise reply. The respondent submitted reply under no.EE/O&M /H'ghat/Tech/1188 dated 01-04-2014. The case was fixed for personal hearing on 21-04-2014. Shri B.V.Betal, authorized representative was present for the applicant. Shri M.S.Vaidya, Executive Engineer, Hinganghat & Shri V.M.Hedao, Assistant Engineer, Hinganghat (Rural), represented the respondent. Both the parties were heard.

4. It was contended on behalf of the applicant that she submitted an application for connection to her agricultural pump on 19-07-2012. She received demand note on 18-12-2012. Demand amount was deposited by Panchayat Samiti. She submitted the test report on 14-03-2013. In spite of the fact that the application was complete in all respect the respondent has not released the connection till today. So she is entitle for compensation as provided under the SOP Regulations.

The applicant's prayer was as under,

i) The applicant may be awarded compensation as provided under SOP Regulations. The applicant may be awarded compensation of Rs.1.00 Lakh towards the loss to her agricultural produce, Rs.50,000/- each may be awarded for physical and mental harassment, Rs.5,000/- each may be awarded for travel expenses & the cost of the instant proceeding.

ii) The respondent may be directed to release the connection immediately.

5. Shri Hedao, Assistant Engineer, referred to the parawise reply dated 01-04-2014. It was further stated that the applicant submitted the application on 19-07-2012. A demand note was issued on 18-12-2012. Panchayat Samiti deposited the amount on her behalf. She submitted the test report on 14-03-2013. To provide the connection to the applicant erection of L.T. line admeasuring 0.18 k.m. is necessary. A work order has been issued to M/s Dixit Enterprises Wardha under no.SE/O&M/WRD/T/Au-264/1070 dated 01-03-2014 to provide her a connection. A connection will be released by end of this month.

6. The technical member of the forum submitted a note as under,

I have gone through the documents on record & submissions made by both the parties, it is not disputed that the complainant has completed all the formalities for getting electric connection to her Ag pump. However supply of electricity to agricultural pumps is carried out under various schemes such as SPA –PE ,DPDC, Rojgar Hami Yojna etc . The applicant's Ag. Pump connection was sanctioned under Rojgar Hami Yojna. Accordingly payment was made by Panchayat Samiti on applicant's behalf. The respondent entrusted the work of laying HT, LT lines & T/F for supplying Ag. Pump connection separately to the Agency under Rojgar hami yojna. The respondent's contention is that the Agency has started the work & connection will be released to the applicant's Ag. Pump soon.

In view of above, we can not held the respondent responsible for the delay in providing electric connection to the complainant's agricultural pump. The respondent

shall provide the connection to the complainant's Ag pump as per the seniority list, of said Rojgar Hami Yojna.

Moreover 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 & other representations were similar issues are being involved.

In view of above I am of the opinion that the respondent is not responsible for delay in giving supply & any losses caused to the complainant. Hence in my opinion the complainant is not entitled for compensation.

7. We have perused the record. We have heard the arguments advanced by both the parties.

It is admitted position that the applicant submitted the application in the prescribed form. She deposited the amount as per rule. She submitted the test report. Her name is also entered in the paid pending list prepared by the respondent. So it is clear that the application submitted by the applicant is complete in all respect.

Regulation 4.5 prescribe the time limit for release of connection, it reads as under,

*4.5 Where the supply of electricity to a premises requires extension or augmentation of distribution mains, the distribution licensee shall give supply to such premises within three (3) months from the date of receipt of complete application in*

*accordance with the Maharashtra Electricity Regulatory Commission (Electricity supply code and other conditions of supply,) Regulations, 2005.*

After hearing the parties and upon perusal of the record it reveal that the applicant had submitted the complete application. So she was entitle for connection within a period of three (3) months from 14-03-2013. The respondents have not released the connection till today. So she is entitle for compensation as provided under Regulation 12 and appendix A item1 (iii) attached the said Regulations.

8. In absence of any evidence much less reliable and cogent evidence we are not inclined to accept other claims of the applicant.

9. The respondent can not deny binding effect of SOP Regulations. So the note submitted by technical member can not be considered in toto.

10. In view of the position discussed above we pass the following order, by majority,

### **ORDER**

- i) Application No.21 of 2014 is partly allowed. The applicant is entitle for compensation from 15-06-2013 till the connection is released to her.
- ii) The respondent MSEDCL is directed to pay compensation @ Rs.100/- per week from 15-06-2013 to 28-04-2014. The payment shall be made within ninety days from the receipt of this order.

- iii) The respondent shall pay the remaining amount of compensation as soon as the connection is released to the applicant.
- iv) No order as to cost.

**Sd/-**  
**(Adv.Gauri D.Chandrayan)**  
**MEMBER**

**Sd/-**  
**(Ms.S.B.Chiwande)**  
**MEMBER SECRETARY**

**Sd/-**  
**(Vishnu S. Bute)**  
**CHAIRMAN**

**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR**  
**(Nagpur Dtd. 28<sup>th</sup> day of April, 2014)**

**CONSUMER GRIEVANCE REDRESSAL FORUM**  
**NAGPUR ZONE (RURAL) M. S. E. D. C. L.**  
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,  
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**(O) 0712- 2022198**

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NO. CGRF/NZ/

Date :

Certified copy of order dated 28<sup>th</sup> April, 2014 in Case No.21 / 2014 is enclosed herewith.

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

To,  
Smt. Sulochana Bhimrao Gote, At.Kanchangaon Po.Arvi. 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. 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

