CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

COMPLAINT NO. 350/2011

Shri Tatyaji Dhondbaji Choudhary, At Govindpur, Post Bothuda, Taluka Hinganghat, District - Wardha.

"VS..

 Executive Engineer, MSEDCL, O & M Division, Hinganghat.

 Executive Engineer/Nodal Officer, I. G. R. C., Circle Office, MSEDCL, Wardha.

Respondents

.. Complainant

Applicant Represented by Mr. B.V.Betal. .

Respondents represented by 1) Shri Wankhede, Asstt.Engineer, Hinganghat.

CORAM:

Shri T. M. Mantri, Chairman.Shri M. G. Deodhar, Member.Ms. S. B. Chiwande, Member-Secretary.

<u>ORDER</u> (<u>Per Chairman Dtd. 17th January, 2012</u>)

The complainant has submitted application for 5 H.P. Ag.Pump Connection on 26/04/2010, Demand Note was issued to him on 19/07/2010, amount deposited on 23/07/2010, Test Report given on 23/07/2010. According to complainant though he has approached for electric connection time and again he was neglected by the then Asstt. Engineer The complainant claimed compensation as per rules plus Rs.15000/- towards mental harassment and Rs.3000/- towards traveling expenses. He has approached to I.G.R.Cell, Wardha on 22/06/2011, his complaint heard on 15/09/2011 but till date no order has passed, therefore complainant is compelled to approach to this Forum for Redressal of his grievances.

2. As per the Rules, notice was given to the Respondent Licensee for submitting parawise comments. On 13.10.2011, accordingly the reply came to be filed on behalf of the Respondent Licensee wherein it is stated that for giving electric connection to the complainant extension of existing line by erecting two poles was necessary and accordingly on 17/07/2010 Demand Note was given. Reference has been made to Clause 12 of MERC Regulation,2005 and submitted and stated that complainant is not tenable and complainant is not entitled. It is further stated that under SPA Scheme and upon availability of the material so also from the seniority list the electrical supply will be provide. There is no intentional delay and hence compensation can not be awarded. Excess amount demanded in the Demand Note will be refunded to the complainant as per rules.

3. Heard Ld. representative Shri Betal for complainant & representative Ld. Shri Wankhede, Asstt.Engineer for Respondent Licensee. The facts of submission of application, depositing of amount and submission test report on respective dates and admitted. The only submission on behalf of the Respondent Licensee was that as per seniority list connection would be provided but nothing has been filed on record in that respect. No documents even the alleged seniority list is not produced. As per the S.O.P. of MERC Regulation, 2005 requirement is that within 3 months the electrical line is required to be given. Admittedly on 23/07/2010 even the test report was given. It is thus clear that the non compliance of the provisions which are applicable and binding to the Respondent Licensee. On behalf of the complainant supporting documents are also filed on record. As observed above this is nothing in support to the submission made on behalf of the Respondent Licensee. Hence the appropriate order and directions are required to be given.

4. During the course of argument copy of the order of I.G.R.Cell dtd. 21/10/2011 came to be filed on record. It is thus clear that said order was passed after filing of the present proceedings. Even the said order directions has been given to provide electrical connection at the earliest that has not been also so far complied.

5. According to the Ld. Member Secretary of this Forum the complainant's cause of grievance about payment of compensation for delay in giving supply arose only when supply was given to him. In this case the supply is not yet given. The complainant's prayer for compensation for delay in giving supply appears premature in view of the orders passed by the Hon'ble Electricity Ombudsman, Mumbai in representation No. 32/2010 & 34/2010. Hence the complainant is not entitled for compensation.

6. However as already observed above there is non compliance of the provisions on behalf of Respondent Licensee the complainant is entitled for a relief in terms of following orders. Therefore, per majority order is passed.

<u>ORDER</u>

- (1) The Complaint No. CGRF/NZ-R/350/2011 is hereby partly allowed.
- (2) The Respondent Licensee is directed to provide electric supply to the complainant immediately upon receipt of the order.
- Respondent Licensee is also liable to pay compensation @ Rs.
 100/- per week as per SOP Supply Regulations, from 24.10.2010 till providing of the electric connection.
- (4) Rest of the claims of the complainant is rejected.
- (5) In the circumstances, parties to bear their own cost.
- (6) Compliance report be submitted in time.

Sd/ Sd/ MEMBER MEMBER SECRETARY CHAIRMAN CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL) (Order Per Chairman Dtd.: 17th January, 2012)

CONSUMER GRIEVANCE REDRESSAL FORUM

NAGPUR ZONE (RURAL) M. S. E. D. C. L.

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,

<u>NAGPUR – 440 013</u>

Shri T.M.Mantri		Shri M.G.Deodhar,
Chairman		Member
(Mb)9673215771	(O) 0712- 2022198	(M)9422805325

NO. CGRF/NZ/R/

Date :

Certified copy of order dtd 17th January,2012 in Case No.

350/2011 is enclosed herewith.

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

To,

Shri Tatyaji Dhondbaji Choudhary, At - Govindpur Post - Bothula, Tq- Hinganghat, Dist. Wardha

Copy S.W.Rs.to :-

1. The Chief Engineer, Nagpur Zone (Rural) 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 Ph.No.0712-2022198.

