

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

NO. CGRF/NZ/R/

Date :

Certified copy of order dtd 23th July,2009 in Case No. 110/2009 is enclosed herewith.

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

Copy to:-

1. Shri Sudhakar Mahadeo Khaire, At & Post-Daroda, 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/ **110** of 2009

Applicant : Shri Sudhakar Mahadeo Khaire, At & Post-Daroda,
Tah-Hinganghat, Dist-Wardha.

-- VS --

Non-applicant : 1.ExecutiveEngineer/Nodal Officer, Internal Grievance Redressal Cell,
CircleOffice, 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 S.F.Lanjewar, Member-Secy.

Appearance. : 1. Shri B.V.Betal,
Representative of Applicant Present alongwith
2. Shri S.M.Khaire - the applicant. .
1. Shri P.R.Ghorude, A.E. .
Present for Non-Applicants.

ORDER

(Passed this 23rd day of July,2009)
(Per Shri V.R. Khobragade, CHAIRMAN)

1. Being aggrieved with the order of I.G.R.C., Wardha, the Applicant filed an Application in form schedule 'A' as per MERC (CGRF&EO) Regulations,2006 to this Forum on **28th May,2009** requesting to grant of compensation for delay in issuing 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 **9/7/2009**. Forum thus, offered a fair, reasonable and adequate opportunity to both the parties for submission of their say in the matter.
3. The matter in brief is that the Applicant has applied for electric connection on 2/11/2006. Demand note was not issued to the Applicant and hence the Applicant is demanding compensation for not issuing the demand note to him.

4. Both the parties were present and they were heard. Both the parties reiterated the same points as mentioned in the application and parawise comments. Representative of Applicant contended that Applicant has applied for electric connection to his agricultural pump on 2/11/2006. The representative contended that the Applicant has not received demand note. The Applicant then approached to I.G.R.C., Wardha and the IGRC, Wardha passed an order dtd. 13/5/2009. But the IGRC, Wardha passed modified order dtd. 18/5/2000 which is not acceptable to the Applicant and lastly requested for compensation of Rs. 10,000/- towards mental harassment and Rs. 5000/- towards expenditure incurred on travelling.
5. Shri P.R.Ghorude, A.E. was present on behalf of non-applicants and Shri Ghorude contended that Applicant has applied for power supply to Rural sub/division office, Hinganghat on 2/11/2006. A.E., Rural S/Dn, Hinganghat sanctioned the work order on 30/11/2007 and sent the demand note to the Applicant on 30/11/2007 by UPC. The entry of the same is made in register at No. 3556 date. 3/12/2007. A duplicate(Xerox) stamped copy made by the Post Master concerned is submitted and placed on record. The Applicant has not made payment of demand note amount. The A.E. again sent a duplicate demand note on 16/6/2009 as per order passed by Cell.
6. On going through the record, following facts have been noticed by Forum that the Applicant has applied for electric connection on 2/11/2006. It is further seen that the A.E., Rural Sub/Dn, Hinganghat issued a letter No. 37 date. 8/1/2007 to the Applicant directing to provide No Objection Certificate. No objection certificate was filed by the Applicant on 5/2/2007. The A.E., Rural S/Dn., had sent the application to J.E. on 5/7/2007 for spot inspection. Thus there is a delay of 19 weeks in sending application to the A.E. is entitled to compensate of Rs. 1900/- for delay. The J.E. concerned returned the case to A.E., Rural S/Dn. on 25/10/2007 after spot inspection. Hence there is a delay of 20 weeks (from 5/2/2007 excluding 10 days) for conducting spot inspection and the Applicant is liable to get compensation of Rs. 2000/- as per S.O.P.,2005 i.e.(.20 weeks x Rs. 100/- per week = Rs.2000/-). After spot inspection was conducted, the A.E. rural Sub/Dn,Hinganghat sanctioned work

order and issued demand note to the Applicant on 30/11/2007 by UPC. The non-Applicants has produced a Xerox copy of the acknowledgement in token of UPC duly stamped by the Post Master concerned (Record page 26). Considering this evidence on record Forum has no option but to agree with the contention of the non-applicants that demand note was sent to the Applicant Under Postal Certificate. The non-Applicant has , however, made a clerical mistake in mentioning as 'Daroda Wadner' instead of 'Daroda'. This is a trifle error to be ignored. The point of issue of demand note has already been discussed by IGRC, Wardha and directed to D.L. to issue a fresh demand note and supply power connection to the agricultural pump of the Applicant. The non-Applicant has already sent demand note on 16/6/2009. The Forum direct non-Applicant to make necessary correction in the demand note as pointed out by the representative of the Applicant. On payment of amount towards demand note, D.L. is directed to provide energy to agricultural pump with priority. Further directed that D.L. shall pay compensation till power supply is resumed. The Applicant is further entitled to get compensation of Rs. 1600 + Rs. 2000 from concerned officials of D.L. D.L. shall make payment of compensation within 3 months from receipt of the order. Applicant's request for compensation towards mental harassment and traveling expenses is not justified for want of substantial evidence hence rejected. For the reasons discussed above, Forum pass the following order.

-: ORDER :-

1. The application is allowed and order passed by IGRC, Wardha in connection with compensation of Rs. 3,600/- + Rs 1900/- + Rs. 2000/- shall be paid within 3 months from receipt of the order. .
2. No order to costs.
3. Parties be informed accordingly.

SD/-
(V.R.KHOBRADE)
CHAIRMAN

SD/-
(S.F.LANJEWAR)
MEMBER/SECY

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

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