

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

COMPLAINT NO. 345/2011

Shri Gunwant Ganpat Mahure,
At & Post Sawli (Wagh),
Tahsil 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 Mr. Betal. .

Respondents represented by 1) Shri S.S.Shrungare, Asstt.Engineer, Hinganghat.
2) Shri.P.B.Ingale, Asstt.Engineer, Hinganghat

CORAM:

Shri T. M. Mantri, Chairman.

Shri M. G. Deodhar, Member.

Ms. S. B. Chiwande, Member-Secretary.

ORDER
(Per Chairman Dtd. 8th December, 2011)

The complainant has filed the present complaint in respect of his grievances for delay in giving connection. According to him, he has approached the Internal Grievance Cell in respect of his grievances on 23.9.2010 but no hearing was taken place. Hence, he has approached the CGRF on 26.12.2010

wherein the matter was heard and order was passed directing to supply electricity connection immediately. According to him, even application was submitted in August, 2008. Demand note was issued later on 9.4.2009 which he has deposited the amount and submitted test report on 30.5.2009. It is alleged that in April, 2010, some material was sent for electricity connection. However, because of faulty spot survey, the plot owner has raised objection and since then material was lying in his go-down. As per order of CGRF dated 6.1.2011, new estimate of five poles was sent and it was further informed that the electricity connection would be made on approval to the said estimate. It is alleged that inspite of approval of the estimate of five poles, the non-Applicant has installed two poles L. T. Line from third place that too late on 13.6.2011. As there is delay in supply of the connection, the complainant is entitled for the appropriate relief. Hence, the Applicant is approaching the Forum in respect of his grievances for delayed supply from July, 2009 to 13.6.2011. Further averments have been made in respect of concerned officers for adopting delaying tactics and claimed Rs. 15,000/- towards mental harassment and Rs. 3000/- towards traveling expenses.

2. As per the Rules, notice was given to the non-applicant licensee for submitting parawise comments so also documents. On 12.9.2011, accordingly the reply came to be filed on behalf of the non-applicant licensee but no documents have been filed. According to the non-applicant licensee, there is no dispute as far as submission of even application, issuing of demand note, giving of test report etc. Reference has been made to the complaint made by Shri Haware at the time of erection of poles for L. T. line. Further reference has been made in respect of Complaint No. 296/2010 before the CGRF, Nagpur wherein after hearing, order was passed on 6.1.2011 observing that the complainant is not entitled for compensation but electricity connection be made as per new estimate. It is further stated that new estimate was sanctioned on 28.3.2011 where under four pole L. T. line was sanctioned and accordingly supply was made to the complainant on 13.6.2011. It is stated that the complaint ought to have been filed within 60 days. Hence, he is not entitled for any relief in the proceedings.

3. Heard Shri Betal representative of the complainant and the learned representative of the non-applicant licensee. On behalf of the complainant, written notes of argument also came to be filed on 3.10.2011. Chance was given to the non-applicant licensee for submission of written notes if any but it has preferred not to file any written notes of arguments. Again heard both sides.

4. Certain facts which are not in dispute are clear from record. Earlier also, the complainant was approached the CGRF in above referred Case No. 296/2010 wherein order was passed on 6.1.2011. From the reply as well as submissions, it is not in dispute that the claim in respect of compensation was turned down there but direction was given to provide electricity connection early as per new estimate. Now it is to be seen whether the non-applicant licensee has taken prompt steps thereafter. Though it has been stated in the parawise comments that new estimate was prepared and sanctioned on 28.3.2011 and thereafter on 13.6.2011 the electricity connection was given to the complainant. However, nothing has been placed on record in respect thereof. Though it has been admitted that documentary evidence in that respect as well as other steps taken after the order of CGRF available in the office, the same has not been produced on record. No doubt, the complainant has submitted even application in August, 2008 and the electricity connection was given to him on 13.06.2011. Though the complainant has claimed compensation for the period July, 2009 to 13.6.2011 in the complaint, however, it is clear that in the earlier order passed by the CGRF, part of his grievances were considered and the same was turned down. As per the said order of 6.1.2011, the connection was to be provided at the earliest. The submission made on behalf of the complainant that though it was proposed of estimation of five poles line in the new proposal but connection was not given as per that estimate but by other mode. This has not been controverted from the side of the non-applicant licensee. On behalf of the licensee, copy of plan was submitted after the arguments are over. There from it is clear that three poles L. T. line has been installed. So there seems to be substance made on behalf of the complainant. that even as per the alleged estimate, the work was not done but the

electricity supply was given by other mode. Nothing has been brought on record from the side of non-applicant licensee as to why this mode was not acted upon earlier. In any case, it was expected and binding on the non-applicant licensee to make compliance of the order of the CGRF in Complaint No. 296/2010. On going through the Appendix of SOP Supply Regulations, 2005, the time period provided for supply is of three months. So giving all latitude in favour of the non-applicant licensee, the maximum period from the date of the earlier order of 6.1.2011, it ought to have been complied with before 6.4.2011. Admittedly the supply was made to the complainant's premises on 13.6.2011. Infact as per the SOP Regulations, 2005, the period is provided from the date of complete application and payment charges but as the matter was earlier considered and order was passed in the above referred complaint, we are of the view to take into consideration the date of the order. In view thereof, the complainant is entitled for relief of delayed charges for the period 6.4.2011 to 13.6.2011.

5. Considering the above observations and findings, there was no justifiable reason or ground put forth from the side of the non-applicant licensee for not adopting the mode which was subsequently undertaken. In any case, all the pros and cons have been duly considered and in view thereof, this Forum passes the following order.

ORDER

- (I) The Complaint No. CGRF/NZ-R/345/2011 is hereby partly allowed.
- (II) The non-applicant licensee is directed to give compensation of Rs. 100/- per week for delay in providing electricity connection to the complainant for the period 6.4.2011 to 13.6.2011 within the period of 30 days.
- (III) Compliance report be submitted in time.
- (IV) In the circumstances, the complainant is entitled for costs of Rs. 500/-

MEMBER

MEMBER SECRETARY

CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL
FORUM**

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

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

Shri T.M.Mantri
Chairman
(Mb)9673215771

(O) 0712- 2022198

Shri M.G.Deodhar,
Member
(M)9422805325

NO. CGRF/NZ/R/

Date :

**Certified copy of order dtd 8th December,2011 in Case No.
345/2011 is enclosed herewith.**

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

To.

Shri Gunwant G Mahure, At/Post- Sawali(Wagh),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.

