

**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)**

**COMPLAINT NO. 346/2011**

Shri Netram Vithalrao Deshmukh,  
At Rahti, Post Kajli, ,  
Tahsil Karanja,  
District Wardha.

**.. Complainant**

„VS..

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

**Respondents**

Applicant in person.

Respondents represented by Shri V.M.Hedau, Asstt.Engineer, Karanja.

**CORAM:**

Shri T. M. Mantri, Chairman.

Shri M. G. Deodhar, Member.

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

**ORDER**  
**(Per Chairman Dtd. 8<sup>th</sup> December, 2011)**

The complainant has filed the present complaint in respect of his grievances of failure of electric supply during the period 21.2.2011 to 2.3.2011

and demanded compensation as well as claimed Rs. 25,000/- towards the loss of the crop alongwith Rs. 5000/- towards mental harassment. It is alleged that the complainant has made the complaint in that respect to the concerned office on 25.2.2011 and 1.3.2011 in writing. According to the complainant, he has put to loss of Rs. 25,000/- for such non-supply and by letter dated 23.5.2011 it was informed that because of the problem in transformer, there was disruption in the electric supply. The complainant has objection for such reply. Reference has been made to letter dated 18.8.2011. It is further alleged that though he has approached to Internal Grievance Cell by application dated 6.4.2011 and hearing therein was taken place on 3.8.2011. However, till date, no order was passed. Hence, the complainant is compelled to approach this Forum for his grievances.

2. As per Rules, the non-applicant licensee was given notice and called upon to submit its parawise comments alongwith documents. On 29.9.2011, the non-applicant licensee has submitted parawise comments but no document has been produced alongwith it. It is stated that because of technical fault, there was no electric supply during the period 25.2.2011 to 27.2.2011 to the complainant as well as other customers. It is further stated that as there was fault in the cable as well as kit Kat of the transformer, there was disruption in electric supply of all the consumers. On account of technical fault, no compensation can be awarded. Further it is stated that distribution box and cable was completely burnt resulting in disruption in electric supply. Though the hearing before the Internal Grievance Cell was held on 3.8.2011 but till date no order has been passed. As the supply to the complainant's premises was on account of technical fault so also that of other customers, the complainant is not entitled for any compensation and the complaint needs to be dismissed.

3. The matter was then fixed for arguments. Heard the complainant in person so also the representative of the non-applicant licensee. Both of them have

also filed written notes of arguments which have been duly considered. Alongwith the written notes of arguments, the non-applicant licensee has also filed certain documents copies of which have been furnished to the complainant and his further arguments have been heard.

4. From the record as well as submissions, it seems that the complainant's grievance is in respect of non-supply of electricity for the period 21.2.2011 to 2.3.2011 and according to him, he has given complaint in writing in that respect on 25.2.2011 and 1.3.2011. According to the non-Applicants' submissions, first complaint was received on 26.2.2011. Now in the background of the dispute, it is for the complainant to establish on record that there was non-supply of electricity since 21.2.2011 as alleged. The complainant has filed on record some documents viz. copy of his letters dated 26.2.2011 and 1.3.2011 alongwith other documents. There is no document on record to show that the complainant has made such grievance in writing on 25.2.2011 as alleged in the complaint. From the submission of non-applicant licensee and the documents filed with written notes of arguments, it is clear that the non-applicant licensee has produced on record letter from some of the consumers stating there that the distribution box and cable of the transformer was burnt on 25.2.2011 whereby there was total non-supply of electricity for the period 25.2.2011 to 26.2.2011 and on 27.2.2011 at about 11.00 there was total resumption of the electric supply. The non-applicant licensee has also produced the gate pass of 26.2.2011, intimation of Junior Engineer to Executive Engineer for supplying certain materials for resumption of the supply. As against this, except the complainant's version, there is nothing on record. According to the non-applicant licensee so also from the documents of the other consumers referred to above, it has been brought on record to point out that there was disruption of electric supply for the period of 25<sup>th</sup> and 26<sup>th</sup> February, 2011 and supply was resumed on 27.2.2011 at 11.00. No doubt, from the record, it seems that the complainant has also sent letters on 1.3.2011

and 3.3.2011. In the letter dated 3.3.2011, it has been mentioned that on 2.3.2011 in the morning at 10.00 full supply was received by him. So it has been reiterated therein that there was no supply from 21.2.2011 to 2.3.2011. The said letter does not bear signature of receiving on behalf of the non-applicant licensee but the further letter dated 15.3.2011 copy of which is filed on record seems to have been sent by Registered Post with postal receipt thereof wherein also same grievances have been raised. According to the non-applicant licensee the electric supply was resumed on 27.2.2011 and it seems that there was problem in the box of the complainant himself which has been neglected by the complainant. It has been argued during the course of submissions that no technician or mechanic sent after 27.2.2011 from the office of the non-applicant licensee which supports the submission on its behalf that the electric supply was disrupted because of technical fault in transformer on 25<sup>th</sup> and 26<sup>th</sup> February, 2011. As soon as the fault was repaired, the electric supply was resumed and all other customers of the Rahati have given writing, as referred to above, about resumption of supply on 27.2.2011 in the morning. When it was pointed out from the record the letter of the complainant dated 1.3.2011 which bears seal and signature of receipt on behalf of the non-applicant licensee. In the said letters, the grievance was again made about continuous failure of supply. Till that date, no reply or explanation has been offered or tried to be given from the side of the non-applicant licensee. According to the non-applicant licensee, after 27.2.2011 no steps have been taken from its side for seeing whether the electric supply was resumed or not. It seems they have mainly relied upon the writing given by other consumers which is undated. On behalf of the complainant, he has submitted that when this writing was taken from other consumers, it was not made to him and there was no date. So it cannot be relied upon. The electric supply, according to him, was resumed on 2.3.2011. It was expected some action on the part of the non-applicant licensee atleast after receipt of letter of the complainant in writing dated 1.3.2011 but admittedly no steps have been taken from the side of the non-applicant licensee.

In the background of such material on record, the version of the complainant that his electric supply was resumed on 2.3.2011 needs to be accepted. Even assuming that there was failure of electric supply on account of technical fault on 25<sup>th</sup> and 26<sup>th</sup> February, 2011 as submitted on behalf of the non-applicant licensee but from the record it clearly emerges out that the complainant's electric supply was not resumed till 2.3.2011. Otherwise, the non-applicant licensee would have definitely given reply to his letter dated 1.3.2011. The available documentary evidence on record supports the contention of the complainant but at the same time the complainant could not establish by cogent evidence that the electric supply was disrupted from 25.2.2011 as alleged by him because first grievance from his side on 26.2.2011 and not on 25.2.2011 as is clear from the record. So even by giving all latitude on behalf of non-applicant licensee for technical fault of disruption, burnt of cable or transformer etc., the complainant's supply was not resumed till 2.3.2011. In view thereof, the submission and defence raised on behalf of non-applicant licensee that there was failure of supply for two days only cannot be accepted. As per Appendix to the Standard of Performance Regulations, 2005, 48 hours time is provided for supply of electricity in rural areas. So even by taking the case of the non-applicant licensee for disruption of supply from 25.2.2011 till morning of 27.2.2011, 48 hours period was expired. However, complainant's supply was resumed, as per record on 2.3.2011. In view thereof, the complainant is entitled for compensation.

5. According to the learned Secretary of this Forum, the complainant has first made grievances in writing on 26.2.2011 and in the subsequent complaint of 3.3.2011, it has been referred that the full electric supply was resumed on 2.3.2011. Also it is not clear from the available record that as to how the supply was resumed on Dt.02.03.2011 when no line staff was sent after 27.02.2011 from Non Applicant Licensee to attend the consumers complaint. Hence, the electric supply was resumed on date.27.02.2011 after attending the fault on T/F side by

Non Applicant Licensee ,but the complainant might not have received full voltage or there may be fault in his own box which has been neglected by him. Therefore, he is not entitled for any compensation.

6. As already observed above, the complainant has also made grievance subsequent to 26.2.2011 by letters dated 1.3.2011 and 3.3.2011 and none of them have been replied by the non-applicant licensee. In view of the above observations and conclusions drawn, this Forum is passing the order in terms of the following order per majority.

### **ORDER**

- (A) The complaint No. CGRF/(NZ-R)/346/2011 is partly allowed.
- (B) The non-applicant licensee is directed to pay compensation @ Rs. 50/- per hour from 11.00 A. M. of 27.2.2011 till 10.00 A. M. of 2.3.2011 and the amount of compensation so awarded to be adjusted in the subsequent bills payable by the complainant.
- (C) Rest of the claim of the complainant is rejected.
- (D) Compliance report be submitted within stipulated period.
- (E) In the circumstances, parties to bear their own costs.

**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 8<sup>th</sup> December,2011 in Case No.**

**346/2011 is enclosed herewith.**

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

To,

Shri Netram V Deshmukh, At-Rahati, Post-Kajli, Tq-Karanja, 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, Arvi.  
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.

