

**CONSUMER GRIEVANCES REDRESSAL FORUM;**  
**MSEDCL NAGPUR (RURAL) ZONE NAGPUR**  
**COMPLAINT NO. 35/2015**

Shri Dhyaneshwar Sitaram Pisude  
At.Seloo(Murpad), Po.Kajalsara  
Tq.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      1) Shri B.V.Betal, Authorized representative  
Respondents represented by    1) Shri A.V.Tupkar, Dy.Exe. Engineer Hinganghat (R)

**CORAM:**

Shri Vishnu S. Bute, Chairman.  
Adv. Gauri D. Chandrayan, Member  
Smt.D.D.Madelwar, Member-Secretary.

**JUDGEMENT**

**(Delivered on this 26<sup>th</sup> day of May, 2015)**

2. Shri Dhyaneshwar Sitaram Pisude, At.Seloo(Murpad), Po.Kajalsara, Tq. Hinganghat, Dist.Wardha (hereinafter referred to as, the applicant) had applied to the distribution licensee MSEDCL (hereinafter referred to as, the respondent) for new connection to his agricultural pump set. It is the contention of the applicant that inspite of the fact that he completed all the formalities the respondent had not released the connection within the time limit prescribed under the MERCI (standards of performance of distribution licensees, period for giving supply and determination of compensation) Regulations 2014. He approached the IGRC Wardha. The IGRC Wardha dismissed

the application in default vide order passed under no.SE/Wardha/Tech/IGRC/1255 dated 12-03-2015. 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 20-04-2015.

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'għat/Tech/2256 dated 19-05-2015. The case was fixed for personal hearing on 25-05-2015. Shri B.V.Betal, authorized representative was present for the applicant. Shri A.V.Tupkar, Dy. Executive Engineer, Hingangħat (Rural), represented the respondent. Both the parties were heard.

4. It was contended on behalf of the applicant that he submitted an application for connection to his agricultural pump on 03-12-2013. He received demand note on 22-05-2014. He deposited the amount as per demand on 21-06-2014. He submitted the test report on 16-05-2015. Inspite of the fact that the application was complete in all respect the respondent failed to release the connection within the stipulated period given in SOP Regulations. So a compensation as provided under Regulation 12.1 may be awarded. Secondly the respondent recovered the amount of Rs.435/- illegally. So the respondents may be directed to refund the amount immediately. Furthermore he may be awarded compensation for physical and mental agony.

5. Shri Tupkar, Dy. Executive Engineer, referred to the parawise reply dated 19-05-2015. It was further stated that the applicant submitted the application on 03-12-2013. He was given a demand note on 22-05-2014. The applicant deposited the amount on

21-06-2014. He submitted the test report on 16-05-2015. To provide the connection to the applicant a transformer of 63 KVA capacity and L.T. line admeasuring 1.32 k.m. is necessary. As per the SOP Regulations the applicant is entitle for compensation after one year from the date of submission of the test report. So at present his application is premature. Secondly he will examine about the recovery of the amount of Rs.435/- If the recovery is not as per rule, he will arrange to refund the amount. At present the applicant is not entitle for any compensation. The application may be dismissed.

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

It is admitted position that the applicant submitted an application in the prescribed form. He deposited the amount as per rule. He submitted the test report also.

Regulation 4.9 prescribe the time limit for release of connection, it reads as under,

4.9 “Where the supply of electricity to a premise requires commissioning of a new sub-station forming a part of the distribution system, the Distribution Licensee shall give supply to such premises within one (1) year from the date of receipt of the complete application and payment of charges. The commissioning of new sub-station forming a part of the distribution system will include sub-station having transformation from HT to HT or HT to LT or switching station from where the HT distribution lines originate.”

After hearing the parties and upon perusal of the record it reveal that the

applicant had submitted the complete application on 16-05-2015. To provide the connection to the applicant installation of new substation is necessary. So he is entitle for connection or compensation after 15-05-2016 (i.e. after one year from the date of receipt of complete application). Since as on today the period is not over the applicant is not entitle for compensation and his application for compensation is premature.

The respondent admitted that if recovery of the amount of Rs.435/- is not as per rule he will arrange to refund the amount.

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

8. In view of the position discussed above we pass the following order,

### **O R D E R**

- i) The claim for compensation is hereby dismissed.
- ii) The respondent will examine the recovery of the amount of Rs.435/- and take necessary action.
- iii) No order as to cost.

<b>Sd/- (Adv.Gauri D.Chandrayan) <u>MEMBER</u></b>	<b>sd/- (Smt.D.D.Madelwar) <u>MEMBER SECRETARY</u></b>	<b>sd/- (Vishnu S. Bute) <u>CHAIRMAN</u></b>
<b><u>CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR</u></b>		
<b><u>(Nagpur Dtd.26<sup>th</sup> day of May, 2015)</u></b>		

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NAGPUR – 440013**

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[cgrfnz@gmail.com](mailto:cgrfnz@gmail.com)

**(O) 0712- 2022198**

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NO. CGRF/NZ/

Date :

Certified copy of order dated 26<sup>th</sup> May, 2015 in Case No.35 / 2015 is enclosed herewith.

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

To,  
Shri Dhyaneshwar Sitaram Pisude, At.Seloo(Murpad), Po.Kajalsara  
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