

**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

Shri M.G.Deodhar,  
Member

(M)9422805325

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NO. CGRF/NZ/R/

Date :

**Certified copy of order dtd 20<sup>th</sup> October,2008 in Case No. 55/2008 is enclosed herewith.**

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

Copy to:-

1. Shri Dilip Gujabrao Warbhe, R/o Donduda,New Yashwantnagar, Zasi Rani Chouk, Nagaji Colony, At-Post-Tahsil - Hinganghat, District-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/ **55** of 2008

Applicant : Shri Dilip Gujabrao Warbhe, R/o Donduda,  
New Yashwantnagar, Zasi Rani Chouk, Nagaji Colony,  
At-Post-Tahsil - Hinganghat, District-Wardha.

-- VS --

Non-applicant : 1.Executive Engineer/Nodal Officer, I.G.R.C,  
Circle Office,M.S.E.D.C.L., Wardha.  
2.Executive Engineer,C.C.O&M Dn., M.S.E.D.C.L.,Hinganghat.

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Present : 1.Shri V.R.Khobragade,Chairman  
2.Shri M.G.Deodhar,Member  
3.Shri S. J. Bhargava,Member/Secy.

Appearance. : 1. Shri B.V.Betal,  
Representative of Applicant present.

1. Shri R.M.Limje,AE.  
2. Shri P.R.Ghorude, AE,  
For Non-Applicants.

**ORDER**

( Passed this 20<sup>th</sup> day of Oct,2008)  
( Per Shri V.R. Khobragade, CHAIRMAN)

1. Shri D.G.Warbhe, R/o. Hinganghat (hereinafter referred to ‘Applicant’) has filed grievance application in schedule form ‘A’ as per MERC(CGRF&EO) Regulations,2006 (hereinafter called the ‘Regulations’)on 27/08/2008. His grievance is regarding not providing electrical connection to agricultural pump by M.S.E.D.C.L. at village Dondula, Taluka-Hinganghat, District-Wardha despite completing all the formalities i.e. payment, submission of test report.
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 25/9/2008. Forum thus, offered a fair,

reasonable and adequate opportunity to both the parties for submission of their say in the matter.

3. Applicant has approached to I.G.R.C.,Wardha on similar matter on 12/6/2008. I.G.R.C.,Wardha passed an order on 11/8/2008 that as per waiting list No.404 connection would be released and not as per schedule 'A' of Standard of Performance Regulations,2005 approved by M.E.R.C. Being aggrieved with the order passed by I.G.R.C.,Wardha, the Applicant filed an instant application.
4. Shri B.V.Betal, Representative of Applicant was present for hearing whereas Sarvashri R.M.Limje,A.E. and P.R.Ghorude,A.E. were present for hearing on behalf of NAs.
5. The Applicant pleaded that he has submitted A1 application for new electrical connection to agricultural pump in Nov,2007 and paid necessary charges of Rs. 7610/- on 2/11/2007 and submitted test report on 2/11/2007. Till to date connection has not been supplied by non-applicants. He was served demand note after a lapse of one year and on compliance of demand note in Nov,2007 connection is not supplied. I.G.R.C., Wardha has erred in holding not to supply electric connection as per annexure 'A' of S.O.P.Regulations,2005 and wrongly passed an order to release power connection ignoring provision as per waiting list in S.O.P. Regulation,2005 i.e. time limit for inspection of site, issue of Demand note and release of connection. He further continued that he has transported and erected 15 poles to his work site and incurred expenditure of Rs. 3000/- for the same. He requested to Forum to direct N.A. to release connection, grant compensation as per S.O.P.Regulation, reimburse to him Rs. 3000/- for transportation and erection of poles, Rs. 25000/- for mental harassment and payment of 1,50,000/- for loss of damage to his crops and examine the demand note and refund as per law.
6. Non Applicant in their written as well as oral statement submitted that distribution transformer on which the said connection was to be given was overloaded hence an

estimate for new transformer under available scheme was submitted to authority on 28/3/2007. The same was sanctioned in new scheme approved on 25/10/2007 and demand note was given to Applicant. At present he stands at Sr.No.404 in the seniority list of energization of pending application for agricultural pump and connection will be released as per seniority. In May,2008 Applicant also approached to Collector,Wardha on eve of Lokshahidin at Wardha. Vide letter No. 2571 dated 26/5/2008 he was informed by the collector regarding Applicant's position in seniority list.

7. On the request of non-applicant the Forum asked non-applicants to submit factual position regarding transportation and erection of poles on 6/10/2008. The non-Applicant submitted report on 6/10/2008, which is placed on record at page Nos.25 to 29 .
8. Forum heard both the parties, perused record and observed that non-Applicant has not timely done activities like inspection of site, issued of demand note and releasing of connection in the stipulated time limit as per annexure 'A' of S.O.P. Regulations, 2005. Applicant therefore deserves to be paid compensation, accordingly. No date of inspection is mentioned by non-applicants. Applicant has applied on 12/12/2006 and estimate was submitted on 28/3/2007 and date of inspection of site might have roughly taken on 12/3/2007 and thus, there is delay of 11 weeks(excluding 10 days time limit given) and hence Rs. 1100/- (Rs. 100/- per week) is to be paid to him. Demand note was given on 25/10/2006 i.e. after lapse of 39 weeks( excluding one month time limit given) and hence compensation of Rs. 3900/- (Rs. 100/- per week) is to be paid to Applicant. He has completed all formalities on 2/11/2007 and connection has not been released upto 25/9/2008, hence there is a delay of 31 weeks (excluding three months time limit given) and hence compensation of Rs. 3100/- (Rs. 100/- per week) shall be paid to Applicant. The non-Applicant has denied that instructions were given to Applicant by the staff

in the MSEDCL for transportation and erection of poles. Further erection of pole being a technical work, is to be carried out by lincenced electrical contractor under supervision of MSEDCL personnels only and Applicant should not have done on his own accord. Thus Charges for only transportation of pole (non-Applicant till date has not objected or taken any action for shifting of poles against the Applicant ) is to be paid to Applicant at the rate of 100/- per pole totaling to Rs.1500/- . It has been observed by the Forum in the instant matter and other cases earlier that Applicants agriculturists are directed by the MSEDCL staff for transportation of electric pole and erection of pole in the applicants field. As a matter of fact transportation of electric pole is to be carried out by DL's cost. Erection of poles is a technical job which is to be undertaken under supervision of the technical staff of company. It has , however , been observed by the Forum that transportation of electric poles were carried out at the costs of the Applicant and also in absence of staff, which is a violation of the instructions issued by D.L. Forum thus direct to the concerned competent official to look into the matter seriously and take action against the defaulting official. It is further directed that compensation shall be paid to Applicant till date of energy connection. Applicant has not produced any substantial record for damage of crops and therefore claim of compensation is rejected.

9. The non-Applicant in their demand note has recovered as mentioned below.

1. Service connection charge/fix charge	1100/-
2. Stamp charges for agreement	100/-
3. Security deposit.	3000/-
4. capacitor testing charge	100/-
5. Add. S.D. against meter cost	3110/-
6. Cost of pole.	200/-

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7610/-

In view of the instructions contained in circular No. 43 date. 26/10/06 issued by Head office, MSEDCL, Mumbai, it is seen that D.L. wrongly demanded an amount of Rs. 3310/- from the Applicant and that the said excessive amount of Rs. 3310/- is liable for refund to the Applicant by MSEDCL. The S.E., Wardha and the concerned E.E. are directed to connect electricity supply to agricultural pump of applicant as early as possible and compensation shall be paid by the D.L. till connection is given to the Applicant.

10. Application of consumer is allowed. Non-Applicant should comply the order within three months from the date of receipt of this order.
11. With the above observations, the Forum unanimously pass the following order

. **:- ORDER :-**

1. Application is allowed.
2. Compensation shall be paid to him within ninety days from receipt of this order.
3. Parties to bear their own cost.

SD/-

SD/-

SD/-

CHAIRMAN

MEMBER

MEMBER/SECY

CONSUMER GRIEVANCE REDRESSAL FORUM

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

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