

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

NO. CGRF/NZ/R/

Date :

Certified copy of order dtd 2nd March,2009 in Case No. 64/2009 is enclosed herewith.

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

Copy to:-

1. Smt. Antkalabai Bhauraoji Hingwe, At & Post- Saoli(khurd), Tah-Karanja(Ghadge)
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, Arvi.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/ **64** of 2009

Applicant : Smt. Antkalabai Bhauraoji Hingwe, At & Post- Saoli(khur),
Tah-Karanja(Ghadge), Dist-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., Arvi.

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

Appearance. : 1. Shri Nagorao Dewase,
Representative of Applicant present.

1. Shri M.B.Dhabarde,AE.
For Non-Applicants.

ORDER

(Passed this 2nd day of March,2009)
(Per Shri V.R. Khobragade, CHAIRMAN)

1. Being aggrieved with ex-parte order dated 17/12/2008 passed by I.G.R.C., Wardha the Applicant through Representative made an application to this Forum and requested to set aside the order in question and award admissible compensation.
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 16/2/2009. 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 applied for power connection on 6/9/2001 paid towards demand Note on 20/2/2003 and furnished Test report on 10/3/2003 but

has no power connection has been given to the Applicant. It is Applicant's contention that demand note is issued by NA is excessive one and necessary amount be refunded to him.

4. On the date of hearing both the parties remained present. Applicant was represented by his duly nominated representative and the NAs were heard through A.E., Karanja. Both the parties reiterated the same points as mentioned in the application and parwise comments respectively. Applicant insisted payment of compensation for delay and refund of excessive amount paid to Demand Note. The A.E. contended that the application being from Dark Water shed was kept pending under instructions issued from Head Office, work of supply of power has been entrusted on Turn Key Contract. The Applicant got power connection on 3/6/2008 after received clearance from H.O.
5. On perusal of records and the circulars issued from the H.O. following facts are noticed that the village Saoli(Khurd) has not been identified as Dark Water Shed but as Grey Water shed village. The letter date. 4/2/2005 issued by CE(Dist) then MSEB, H.O. Mumbai directing the official not to receive fresh applications and return the applications pending. This letter was not properly read and the cases of village Saoli(Khurd) was wrongly treated as a case from Dark Water shed. This blunder on the part of official concerned of company caused abnormal delay to finalise the case. The list of villages under Dark Water Shed - Green Water shed sent by Sr. Geologist, Wardha has been available in company's offices. It was not properly studied by the staff and officials of the company. A perusal of list of the villages under Grey water shed reveals that the village Saoli(Khurd) stands at Sr.No.16 and the letter dated 11/4/2005 issued by AE (Record page) carries no propriety with reference to the instructions contained in para 1 & 2 of the letter date. 4/2/2005. It is further seen that the AE asked the Applicant to produce fresh Test report vide his letter tloc dzl vcdjtkm-d@1940 fr- 5-10-2007. This letter appears to

be in contravention of the instructions contained in the letter No.CE/Dist/RE-1/Ag.Pump/3589 date. 21/9/2007 issued by CE,Distribution, Mumbai. Para 4 of this letter directs the official to straight way cancel the applications paid and pending from Grey & Dark water Zones. Vilage Saoli(Khurd) being a village from Grey water zone does not stand to qualify to comply with the instructions given in Para 1 of this letter. These instructions are applicable to the cases pertaining to zone which are not covered under P4 of the letter. Forum has observed that the field staff were not properly apprised of the instructions for which senior officials with District and Circle are to be fingered. As discussed above, the applications which were to be finalized vide letter dtd. 4/2/2005 were kept pending and when the staff was specifically directed to straightway reject the paid and pending applications pertaining to Dark water shed and Grey water zone etc. were considered fit for supply of power connection.

6. A perusal of Paras 1,2,3 of parawise comments reveals that there has been no delay in spot survey, issue of demand note. The Applicant paid demand note prior to 26/9/2006 and therefore question does not arise to refund any amount, since this case was filed and demand note was issued prior to 26/9/2006.
7. As a matter of fact, the applications paid and pending were to be straightway cancelled in accordance with the instructions under Para 4 of the letter date. 21/9/2007 issued by CE(Dist)HO,Mumbai. The Applicant produced fresh test report on 31/10/2007 and got power connection on 3/6/2008 as per guidelines contained in G.R. i k. h i j p B k o LoPNrk foHkx "k.d.i = 5107@2@ ki qfn 12-4-2007. In this case company shall pay compensation to the Applicant for 6 months that comes to Rs. 2400/- for the reasons as mentioned in reply of A.E. in his ltrf. date. 25/2/2009. The said amount shall be recoverable from the officials concerned responsible for delay. The Applicant produced Panchnama under signature of Police Patil ,Saoli(Khurd) and copy of photograph to support his contention that the company has not given power

connection to agricultural pump. The reply date. 25/2/2009 submitted by A.E. examined and found that the Applicant has got power connection to agricultural pump.

8. With the above observations, the Forum unanimously pass the following order.

-: ORDER :-

1. The application is allowed.
2. Compensation of Rs. 2400/- shall be paid to the Applicant within 3 months.
3. No order to cost.
4. Parties be informed suitably.
5. Chairman, IGRC, Wardha to submit report of compliance within 3 months.

SD/ILLEGIBLE
(V.R.KHOBRADE)
CHAIRMAN

SD/ILLEGIBLE
(M.G.DEODHAR)
MEMBER

SD/ILLEGIBLE
(S.A.HARPALE)
MEMBER/SECY

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

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