

**CONSUMER GRIEVANCE REDRESSAL FORUM,  
AKOLA ZONE, AKOLA.**

*“ Vidyut Bhavan ” Ratanlal Plots, Akola : 444001 Tel No 0724 .2434476*

---

**Dt.04/02/2016**

**Complaint No. 33 / 2015**

**Grievance pertaining to failure of transformer/ electric supply, SOP compensation  
etc.**

**Quorum**

**Shri T.M.Mantri, Chairman  
Shri. R.A. Ramteke ,Member-Secretary  
Shri. D.M.Deshpande-Member (CPO)**

Shri.Vivek Arvind Mohod, Complainant  
Consumer No:- HT-I-C-310019025160

.....Vrs.....

Executive Engineer MSEDCL, Akola (Rural) Division Respondent

**Appearances :**

Complainant Representative: Shri. Vivek Arvind Mohod.

Respondent Representative: Shri. P.N. Phulzele, Dy. Executive Engineer, Sub Dn.(R)  
Murtizapur.

1. Being aggrieved with the order of IGRC the complainant has approached this forum for redressal of grievance. The complainant's case in brief is that the transformer was burnt on dt. 15/08/2014 resulting in disconnection of supply and inspite approaches made nothing was done, the complaint has made reference of communication made in writing dt. 25/09/2014,29/09/2014 and 20/10/2014 but to no effect. So also made grievance for issuing incorrect name such as Shri. Dilip Vishwanath Mankar and inspite bringing this fact to the notice of N.A. for issuing correct bill but nothing was done. Complainant has made reference of earlier complaint no. 190/2014. So also order of IGRC dt. 16/12/2014 alleged that it is totally wrong and against the principle of natural justice, without considering the grievance documents and evidence. The complainant alleged that the burnt transformer was replaced on dt.14/11/2014 and supply for 91 days at the rate of 1100/- per day so also for suffered, making claim for Rs.1,10,000/-. The

complainant alleged that because of health problem he could not approach earlier, so also alleged about filling of medical certificate etc, alongwith copies of bunch of documents.

2. The N.A. has filed reply on dt. 07/01/2016 after seeking adjournment. As per N.A. the transformer was failed on dt.25/08/2014, reference has been made to report of Junior Engineer. So also it is stated that by mistake bill has been issued in the name of Vivek Mankar and as per application, the correction has been made in name of complainant. According to the N.A. the complainant has no right to claim compensation and further stated that during the period of June to Nov-2014 so many transformers failed, where as in all 66 transformers have been repaired. Because of that there was delay in replacement of failed transformer. The N.A. has referred to part from the order of The Electricity Ombudsman in case no 38/2015. According to N.A. there was no negligence, hence no compensation as claimed for be granted. So also N.A. referred to other order of The Electricity Ombudsman and submitted that because of failure of no. of transformers, the transformer in question could not be replaced and it is beyond its control and pressed for dismissal of the complaint. Copies of certain documents filed with the reply.
3. Heard complainant in person and Shri. P.N. Phulzele, Dy. Executive Engineer, the learned representative of the N.A. On going through the record coupled with the submission of the parties it is an admitted on position that the transformer in question failed in Aug-2014. In the letter dt.25/09/2014 given by complainant and other agriculturist there is no specific date of failure but it has been specifically mentioned that the said transformer is failed since about 40 days. On behalf of N.A. the failure report is filed on record mentioning date and also of replacement is 14/11/2014 and the electric supply was restated on dt. 15/11/2014. So admittedly for about 83 days there was no supply of electricity on account of failure of transformer. Under MERC (standards of performance of distribution licensee, period for giving supply and determination of compensation) Regulation 2014. In Appendix-A the quantum of compensation payable is for failure to meet prescribed standards of performance are given and under clause 2 (iii) prescribed standards in

case of failure of distribution of transformer is given as 48 hours in Rural Areas, so also Rs. 50/- per hours compensation payable is prescribed on failure to meet the prescribed standards. It means 1200/- per day. So after excluding the prescribed period of standards of performance, it is clear that there is delay of about 80 days resulting in liability of compensation as prescribed under regulations 2014 which comes to Rs.96000/-. The learned representative of the N.A. relied on the order of The Electricity Ombudsman in representation no. 38/2015 in supports of deference. On going through the same it is clear that the said order in fact supports of the claim of the complainant. From the said order, it is clear that SOP compensation for delay caused in issuing of quotation and releasing of connections, the IGRC and forum has granted compensation to the complainant. The complainant there in approached the said authority for remaining reliefs. In Para no. 9 & 10 The Electricity Ombudsman observed about according of SOP compensation correctly and in later Para's-11 and 12 has given reason for refusing of penalty as per section 43 (3) of the Act. So from the said order it is clear that awarding of compensation as per regulation 2005 is correct. In the same manner the order in representation no. 35/2015 also does not support the N.A. The complainant there in has given in writing on dt. 28/11/2014 that he has no claim and on that basis the order has been passed. As per regulation 2014 the complainant is entitled for compensation of Rs. 96000/- (80x1200 per day SOP) however the complainant has claimed Rs. 1,10,000/- but could not succeed in establishing the same. From the record and admitted position it is clear that the complainant is persuing the matter since 2014.

4. During the course of arguments it has been revealed that only two bills have been issued to the complainant since the date of connection, that too, provisional without giving necessary details. According to the complainant even the bills are in wrong name Vivek Mankar. As per reply of N.A. and submission, the corrections have been made in the name of complainant. The complainant is ready to pay the electric charges for the electricity consumed by him. The N.A. has not issued bills, as per complainant. The N.A.'s representative could not justify for not

issuing bills for such a long period. Here needs to be mentioned that as per complainant, by making payment of Rs.27,959/- under Non DDF CGRF scheme, the connection was availed, however till date no amount has been adjusted as provided in the scheme, from the bills of the complainant. It is apparently clear that there is callous negligence on the part of concerned staff/officer of the concerned office for not issuing electric bills for such a long period. The N.A. to issue bills of actual consumption of the electricity by the complainant and that amount to be adjusted in from the amount payable to the complainant for compensation Rs. 96000/-along with Rs. 27,959/- under Non DDF scheme. The balance amount remains to be adjusted, in the forth coming bills payable by the complainant. The concerned authority to take suitable action against the erring staff/ officer for laches and negligence on their part. That neither steno nor typist is available since last no. of days hence the order could not be passed earlier, in stipulated period. With such observation the forum proceed to pass following order.

#### **ORDER**

1. Complaint no. 33/2015 is hereby partly allowed. The N.A. is liable to pay SOP consumption of Rs.96000/- for delay in replacing transformer as per MERC regulation 2014.
2. The N.A. to issue electric bills as per actual consumption of electricity by the complainant since beginning and the said amount to the deducted from the compensation payable above + Rs.27,959/- paid by the complainant under Non DDF scheme (Rs. 96000+27,959)Rs. 1,23,959/- and whatever balance remains after such adjustment, the further electric bills payable by the complainant to be adjusted there from.
3. The N.A./ competent authority to take suitable action against the erring staff/ office for negligence/ lethargic attitude in their part for not issuing bills of by the complainant.

4. That the compliance report to the submitted within period of one month.

S/d  
Member/ Secretary

S/d  
Member (CPO)

S/d  
Chairman

**No.CGRF / AZ/ Akola/**

**Dt. 04/02/2016**

TO  
The Nodal Officer,  
Executive Engineer (Rural)  
MSEDCL,Division Circle  
Dist. Akola

The order passed on 03/02/2016 in the Complaint No. 33/2015, is enclosed herewith for further compliance and necessary action.

**Secretary,**  
Consumer Grievance Redressal Forum,  
MSEDCL, Akola Zone, Akola

**Copy fwc to:**

1. Shri.Vivek Arvind Mohod, Sahakari Bank Colony, Sirso Tq. Murtizapur, Dist. Akola.
2. Superintending Engineer O&M Circle, Akola.