

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

*“ Vidyut Bhavan ” Ratanlal Plot,Akola. Tel No 0724.2434475*

**ORDER.**

**Dt. 28 /06/2017.**

**Complaint No.23/2017**

**In the matter of delay in releasing Ag. connection, and SOP Compensation thereof.**

**Quorum**

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

Shri Arun Ganptrao Dhule for  
At Post Sungaon , Tq. Jalgon Jamod        :-     Complainant.  
Consumer No.Ag-

.....Vrs.....

Executive Engineer, O&M Division,  
MSEDCL, Malkapur                                :-     Respondent.

**Appearances :-**

Complainant                                        :-     Shri Dipak Tade.  
Non Applicant                                      :-     Shri A.G.Kathode,Dy.E.E.,Jalgaon Jamod.

1.                                On being aggrieved by the decision of the IGRC Buldhana issued vide SE/BLD/1230 Dt. 19.04.2017, the complainant Shri Arun Ganptrao Dhule At Post Sungaon, Tq. Jalgon Jamod Distt. Buldhana approached to this forum under section 6.4 of MERC (CGRF Ombudsman ) regulation 2006 for resolving the grievance.

2.                                Complainant's case in brief is that Shri Arun Ganptrao Dhule applicant for new Ag.connection having applied for 3.73 KW load at Gut No. 24 Wawdi Mardeo Sungaon under Jalgaon Jamod sub-division of N.A.MSEDCL on dated 03.12.2013, acknowledged by N.A.MSEDCL on 03.12.2013. According to complainant N.A. MSEDCL have not taken any action on application dated 03.12.2013 for three years and issued quotation for payment of charges on

10.06.2016 paid on 16.06.2016. According to complainant even after payment of charges, N.A.MSEDCL have not released connection to Ag. pump. According to complainant IGRC Buldhana order dated 19.04.2017, suffer from error on law point. According to complainant specific time period is provided for giving various services to consumers in SOP regulation 2005 read with amendment in 2014. It is alleged that N.A.MSEDCL have delayed issue of from quotation up to 10.06.2016, which is paid by complainant immediately on 16.06.2016. Complainant N.A.MSEDCL has to inspect site within 10 days of receipt of application and within 20 days demand note should have been issued with connection within 3 months, otherwise liable to pay compensation to applicant as per SOP Regulation 2005/2014. According to complainant penal action should be taken against N.A.MSEDCL for not releasing the connection for 3 ½ years from 03.12.2013, and prays before forum to release Ag. connection within 8 days with SOP Compensation for delay in inspection, issue of demand note and release of connection. Complainant annexed with complaint IGRC order, application dated 03.12.2013, receipt for payment of charges and copies of Namuna 7,12 and 8 (a) .

3. Reply filed by N.A.MSEDCL on 30.05.2017. According to N.A., application of Shri Arun Ganptrao Dhule is registered at Sr.No. 4554241 dated 03.12.2013 in computer system but wrongly under the name of Shri Arun Wasudeo Dhule, admitting mistake on the part of N.A.MSEDCL. The application as above was processed by N.A.MSEDCL and sanctioned estimate vide Dy.EE/74 dt. 01.10.2015 by proposing 100 KVA transformer and LT Line 0.12 Km. According to N.A.MSEDCL firm quotation dated 01.10.2015 was generated through system against above application number 4554241 but with wrong name and hence not accepted by complainant. According to N.A. on same day another firm quotation but against different application No. 8751678 dt. 16.06.2015 in the name of complainant generated through system and handed over to complainant. According to N.A complainant paid the charges on 16.06.2016. N.A.MSEDCL stated

that prayer of SOP compensation should not be accepted as time barred, submitted after 60 days. According to N.A.MSEDCL electric connection to Ag. pump of complainant paid after 31.03.2016 will be released only after connection to those paid before 31.03.2016 and prayed for dismissal of complaint. N.A.MSEDCL annexed with reply Firm quotation/Demand Note against application No. 8751678 dtd. 16.06.2015 and application No. 4554241 dt. 03.12.2013.

4. In spite of notice dated 07.06.2017 on record issued to N.A. MSEDCL to remain present for scheduled hearing on 15.06.2017 followed by e-mail to N.A. and telephonic intimation to Dy.EE.MSEDCL Jalgaon Jamod, Nodal Officer Executive Engineer MSEDCL Malkapur or his authorised representative preferred to remain absent for the scheduled hearing on 15.06.2017 at CGRF Akola, without any intimation to Forum. Complainant's authorised representative Shri Dipak Tade was present for the hearing along with complainant on 15.06.2017. Heard complainant representative with his objection on record that no second chance to be given to N.A. MSEDCL for hearing and grievance be decided on available record with the Forum. Complainant's representative urged and reiterated the complaint on record and brought to the notice of Forum that after application for Ag. connection on 03.12.2017, N.A. MSEDCL have taken no action for 98 weeks and site inspection is carried out on 25.12.2015 and demand note was issued on 10.06.2016 and not on 01.10.2015 as claimed by MSEDCL in their reply. Forum decided to give one chance to N.A. MSEDCL in order to give natural justice and gave liberty to complainant to file additional documents and counter hearing during scheduled hearing on 21.06.2017.

5. Nodal Officer Shri P.F.Pawar, Executive Engineer MSEDCL Malkapur along with Shri Kathole Dy.E.E. Jalgaon Jamod and Shri Balkrishna Parashram Tade, complainant's representative were present for hearing held on 21.06.2017. During hearing complainant's representative filed additional

document such as application of Sau. Asha Mahadev Barpatil dated 05.12.2013 quotation issued by N.A. 20.01.2014, paid receipt 16.05.2014 and energy bill showing date of connection for this consumer as 01.02.2016 as facts on record and urged that since nodal officer was absent for hearing disciplinary action should be proposed by the Forum.

6. Nodal Officer Shri P.F.Pawar, Executive Engineer MSEDCL Malkapur admitted the fact of date of application as 03.12.2013 and urged that quotation was issued on 01.10.2015 with correction on it dated 10.06.2016 but as complainant paid charges on 16.06.2016 connection will be released as per paid pending list. Nodal Officer Shri P.F.Pawar, Executive Engineer MSEDCL Malkapur further urged that N.A. MSEDCL is under instructions from their head office to release the connection up to payment on or before 31.03.2017. Shri P.F.Pawar, Executive Engineer MSEDCL Malkapur urged that as first claim for SOP is submitted on 20.03.2017, complainant is not entitled for SOP Compensation.

7. Forum in order to settle the grievance on facts ordered Nodal Officer Shri P.F.Pawar, Executive Engineer MSEDCL Malkapur to file on record following documents before 28.06.2017

- i) Copy of corrected quotation with validation for acceptance of charges dated 01.10.2015 and 10.06.2016.
- ii) F-1, Auxiliary register from 2013 where record of Ag. application is kept.
- iii) F-1, register for Ag. connection from 2013 to 2017.
- iv) Up to date paid pending list.
- v) Instructions letter from H.O. to release connection to those paid before 31.03.2016.
- vi) Copy of estimate.

MSEDCL filed on record copy of paid pending list and letter from their H.O. dated 26.04.2017 and 23.06.2017 and did not file other documents though ordered by Forum.

8. Forum have gone through the documents on record including complaint, reply and additional documents and arguments by learned representative of complainant and learned Nodal Officer of N.A. MSEDCL. Forum is of the view that application for Ag. connection dated 03.12.2013 in fact not disputed by N.A. MSEDCL. It is also fact on record that payment of charges in order to release connection is effected by complainant on 16.06.2016. It is to be seen whether N.A. MSEDCL have issued quotation/Demand note within 20 days as per SOP regulation 2005/2014. Forum is of the view that N.A. MSEDCL have failed to comply SOP regulations and issued quotation/demand note on 01.10.2015 according to N.A. and disputed by complainant. N.A. MSEDCL have filed two quotations on record one with wrong name and not pertaining to complainant and another zerox copy with name of complainant but unsigned and without validation for payment up to 16.06.2016. Forum in order to establish fact ordered N.A. MSEDCL to file on record original copy quotation dated 01.10.2015 with validation for payment up to 16.06.2016 but N.A. MSEDCL did not file such document on record and hence Forum has drawn adverse inference and accepted the contention of complainant that quotation is issued by N.A. MSEDCL on 10.06.2016 after two and half years, in contravention to SOP regulation-2005/2014. The citation brought on record by complainant about connection of another consumer dated 01.02.2016 by name Sau. Asha Mahadeo Barpatil At & Po. Sungaon who applied for Ag connection on 05.12.2013 and received quotation on 20.01.2014 supports complainant 's plea that chronology has not been followed by N.A. MSEDCL. Forum in order to establish fact ordered N.A. MSEDCL to file on record F-I auxiliary register where application for Ag. connection is recorded in the register chronologically and F-I connection register which has not been

submitted on record by N.A. MSEDCL. So Forum is of the view that N.A. MSEDCL is deliberately avoiding to bring true facts on record. Forum has drawn adverse inference that N.A. MSEDCL is not abiding to chronology in issuing quotation and releasing connections and thus violated the provisions of Electricity Act -2003 and supply code regulation 2005. Even the documents filed on record on 28.06.2017 by N.A. MSEDCL which are letters addressed to S.E. Buldhana and Regional Director Nagpur by Director project MSEDCL vide letter No. 15483 Dt.23.06.2017 and 9739 dt. 26.04.2017 amply demonstrate the fact that officers under S.E. Buldhana including N.A. MSEDCL have not followed the chronology for releasing the Ag. connection and released 645 No. of Ag. Connections who have paid after 31.03.2016 keeping 3896 Nos of Ag. connection pending though paid before 31.03.2016. Forum is of the view that the plea taken by N.A. MSEDCL that connection to Ag. pumps for those who have paid after 31.03.2016 can not be released at this stage is found to be false and misleading. Forum is of the view that Ag connection to complainant be released immediately as N.A. MSEDCL have not followed chronology and released connection to those Ag. applicants junior in chronology. Complainant is also entitled for SOP compensation for delay in inspection , issue of quotation and releasing connection but as complainant not claimed SOP compensation within time limit for inspection and quotation, Forum is of the view that grievance of releasing connection is still not resolved and complainant claimed SOP compensation on this count on 20.03.2017 is admissible at Rs.100 per week up to releasing the connection, (for 28 weeks.) Forum is of the view and recommend detail enquiry and action against Nodal Officer in not taking direction of CGRF seriously and not attending hearing alongwith action for detail enquiry into violating chronology for releasing New connection by superior to whom the copy of this order is submitted. With these observations Forum proceeds to pass following unanimous order.

**// ORDER //**

1. The Complaint No.23/2017 is hereby partly allowed.
2. The N.A. MSEDCL is directed to release electric connection to Ag. Pump of complainant at Survey No.24 at Wawde Hardeo Sungaon immediately but before 30<sup>th</sup> July-2017.
3. The N.A. MSEDCL is directed to pay SOP compensation for delay in releasing connection at Rs.100 /- per week for 28 week, amounting to Rs. 2800/- payable to complainant within 90 days of this order.
4. No order as to the cost.
5. The N.A. MSEDCL is directed to submit the compliance report to the Forum within period of one month of this order

Sd/-  
Member/Secretary

Sd/-  
Member (CPO)

Contact details of Electricity Ombudsman appointed by MERC (CGRF&EO) Regulations 2006 under Regulation 10:

THE ELECTRICITY OMBUDSMAN,  
Office of Electricity Ombudsman (Nagpur)  
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,  
Nagpur-440 013.  
Phone : 0712-2596670

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**No.CGRF /AKZ/ AKL/ 117**

**Dt. 28/06/2017**

**To,**  
The Nodal Officer,  
The Executive Engineer  
MSEDCL,O&M Division,  
**Malkapur**

The order passed on 28/06/2017 in the Complaint No. 23/2017 is enclosed herewith for further compliance and necessary action.

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

**Copy fwcs to:-**

- 1) The Superintending Engineer, MSEDCL, O&M Circle, Buldhana
- 2) Shri Arun Ganptrao Dhule, At Post Sungaon , Tq. Jalgon Jamod Distt. Buldhana.

Complaint No.**08/2017** registered with CGRF Akola received Shri Mahadeo  
Sakharam Barpatil & Sau. Asha Mahadeo Barpatil At & Po. Sungaon Tq.  
Jalgaon Jamod Distt. Buldhana

Complaint No.**09/2017** registered with CGRF Akola received Late Ganpatrao  
Kisanji Dhule, C/o Shri Arun Ganpatrao Dhule, At & Po. Sungaon Tq.  
Jalgaon Jamod Distt. Buldhana