

2. The complaint in brief is that, complainant Shri Arun Ganpatrao Dhule residence of SUNGAON has applied for New Service Connection to pumpset of 5 HP (3.73KW) at Gut No. 24 at Wawdi Hardeo , Sungaon Tq. Jalgaon Jamod on 29.03.2017 to N.A. MSEDCL . According to complainant, N.A. MSEDCL have not taken any action on the application for Ag connection, as per law within the time limit prescribed in SOP regulation 2014 and hence they are entitled for SOP compensation and prayed for Ag connection within one month, SOP Compensation for delay in inspection, issue of quotation and release of connection as per SOP regulation 2014. Complainant Annexed with complaint IGRC Buldhana order, acknowledgement for A-1 Application dated 29.03.2017, copy of demand note dated 22.06.2017, Paid M.R.No. 3032873 for Rs.6100/-, copy of letter Dy.EE/Jalgaon /658 Dt. 11.04.2017 and Dy.EE/Jalgaon/1047 Dt. 13.06.2017 and claim for SOP dated 20.06.2017 lodged with EE/ Malkapur/ Dy. EE Jalgaon Jamod, A.E. Jalgaon Jamod and IGRC Buldhana.

3. Reply came to be filed by N.A. MSEDCL on 29.08.2017. According to N.A. Shri Arun Ganpatrao Dhule have not applied for Ag. pump connection but applied for connection for ' Farm Lake' (शेततळे). According to N.A. Inspection has been carried out on 29.03.2017 by A.E.and submitted estimate vide A.E./Jalgaon/169 dt. 29.03.2017 to Dy.EE.Jalgaon Jamod, who has forwarded it to E.E.Malkapur as purpose was fisheries, for approval. According to

N.A. Executive Engineer Malkapur instead of sanctioning returned the estimate to Dy.EE.Jalgaon Jamod with remarks that purpose is Ag vide letter No. 1541 Dt. 24.05.2017. According to N.A. estimate was resubmitted to EE.Malkapur for further guidance vide Dy.EE/Jalgaon/1047 Dt. 13.06.2017 with copy to complainant. According to N.A. on receipt of letter from complainant dated 19.06.2017 (Claim for SOP) and after discussion with Executive Engineer Malkapur, estimate was sanctioned on 22.06.2017 and after taking entries in system for A-1 application No. 10389334 dt. 29.03.2017, consumer No. 290030046661 was generated and demand note for payment of charges was issued on 24.06.2017, which was accepted by the complainant on 24.06.2017. According to N.A. Shri Dhule was using the said Farm –Lake for the purpose of Fisheries as per panchanama dated 25.11.2016, which was not intimated by Talathi or Agrucultural Officer to MSEDCL, whereas in the letter dated 05.05.2017 it is intimated by Agricultural Officer Khamgaon that water resource from Farm Lake is being used for fruit cultivation. According to N.A. complainant is misleading to Govt and MSEDCL both. According to N.A. complainant in past used electricity unauthorisely from the said Farm lake and hence liable for criminal action. According to N.A. Forum should give such permission to our Jalgaon Jamod office for criminal action . According to N.A. said transformer is overloaded and hence connection to complainants Ag.pump can be given only after commissioning of New proposed transformer for load diversion, sanctioned vide Jalgaon Jamod /estimate/15-16/SPA/74 dt, 01.10.2015, as per

chronology and MSEDCL rules. According to N.A complainant has not claimed SOP within sixty days i.e. before 29.05.2017 hence Forum should dismiss the claim for SOP. N.A. MSEDCL Annexed with reply the sanctioned estimate copy Dy.EE/Jal/74 dt. 01.10.2015, with copy of estimate prepared by A.E. Jalgaon Jamod.

4. Shri Anil Kathole Dy.E.E. Jalgaon Jamod for N.A. MSEDCL and Shri D.B. Tade for complainant were present for the scheduled hearing on 07.09.2017. During hearing complainant's learned representative submitted written note of argument and urged to release the early connection as distance from the mains is within 30 meters, and brought to the notice of Forum that despite submitting the claim for SOP within time, N.A. MSEDCL have not settled the claim for SOP. Learned representative for complainant urged that IGRC Buldhana have favoured N.A. MSEDCL and not acted as per law and rejected the claim for SOP. Learned representative for complainant urged that existing transformer is not over loaded and connection can be released from existing transformer as distance is 60 feet only and submitted estimate No. EE/MLK/47 dt. 15.01.2015 on record. Learned representative for complainant urged that N.A.MSEDCL is deliberately misleading the Forum and harassing the Ag consumer and requested Forum to intimate disciplinary action against Dy.E.E. Jalgaon jamod such as suspension, and lastly requested to allow the complaint with cost.

5. Learned representative of N.A Shri A.G. Kathole Dy.E.E. Jalgaon Jamod admitted the receipt of application on 29.03.2017 and urged the Forum that delay in issue of quotation is due to confusion about sanction between Dy.EE Jalgaon and EE Malkapur for which complainant is responsible and hence complainant is not entitled for SOP. Learned representative of N.A Shri A.G. Kathole Dy.E.E. have committed to release connection after commission of new transformer and as per the direction of Forum in present case.

6. Forum have gone through the complaint on record, reply submitted by N.A. MSEDCL, documents filed on record by complainant and considered the deliberations by Learned representative of N.A. MSEDCL as well as complainant. It is admitted fact on record that complainant has applied with clear purpose for Ag on 29.03.2017. As per SOP regulation 2014, N.A. MSEDCL should have inspected the site within 10 days for which MSEDCL in their reply brought on record vide AE/Jamod/169 Dt. 29.03.2017 but could not file on record the said letter during hearing. N.A. MSEDCL have filed on record the inspection report on 13.09.2017 after directives of Forum to arrive at facts at the time of hearing. N.A. MSEDCL have also not filed on record copy of sanction estimate No. 08/7478509 dated 22.06.2017 on the contrary filed on record 'Office Note' purporting to be estimate for New DTC for providing connection to

Shri Arun Dhule with sanction No. Dy.EE/Jal Jam/Infra/15-16/74 dt. 01.10.2015, when complainant applied for new connection on 29.03.2017. Forum is of the view that N.A. MSEDCL have deliberately tried to mislead the Forum instead of bringing facts on record. N.A. MSEDCL remain silent on the facts brought on record by complainant about sanction of estimate for new transformer vide EE/MLK/47 dt. 15.01.2015. Learned representative of N.A Shri A.G. Kathole Dy.E.E. deposed before Forum that no new connection is released from existing Wawdi Hardev DTC from 2015. The load on 100 KVA transformer is shown as 95 H.P. and proposed load of Ag.pump of complainant is shown as 5 H.P. , on said office note brought on record by MSEDCL, which does mean that connected load is 70.87 KW and after connecting Ag. pump of complainant (3.73 Kw) Total load will be 74.6 Kw and considering power factor as 0.8 as per MERC tariff order, load in KVA on existing transformer after service connection of present Ag. connection will be 93.25 KVA. Nothing is brought on record except statement in support of over loading of said transformer by N.A. MSEDCL to prove the fact that DTC is overloaded. Forum is of the view that complainant was entitled for Ag connection within one month of completion of payment i.e. up to 04.08.2017 being service connection from existing transformer as per the provision of Electricity Act-2003 and supply code regulation 2005 read with SOP regulation 2014., and on failure by MSEDCL entitled for SOP compensation of

Rs. 100/- per week for the delay. Forum is of the view that N.A. MSEDCL have inspected the premises within 10 days as per the inspection report, filed on record with the signature of complainant and hence complainant not entitled for SOP for delay in inspection as per SOP regulation 2014. Forum is of the view that MSEDCL have delayed the issue of demand note which is issued on 22.06.2017 and entitled for SOP from 21.04.2017 to 21.06.2017 for delay at Rs.100/- per week. Complainant is not entitled for cost as not prayed for in original complaint. With these observations Forum proceeds to pass following unanimous order.

// ORDER //

1. That the Complaint No.31/2017 is hereby partly allowed.
2. The N.A. MSEDCL is directed to release electric connection to Ag.Pump of Shri Arun Ganpatrao Dhule at Wawdi Hardev Sungaon Tq. Jalgaon Jamod immediately but within 15 days of this order.
3. The N.A. MSEDCL is directed to compensate Shri Arun Ganpatrao Dhule for delay in issue of Demand Note at Rs. 100/- per week from 21.04.2017 to 21.06.2017 for 62 days (@ 8 weeks) as per SOP regulation 2014.

4. The N.A. MSEDCL is directed to compensate Shri Arun Ganpatrao Dhule for delay in releasing electric connection to Ag.pump at Rs. 100/- per week from 05.08.2017 till date of release of connection.
5. Parties to bear their own cost.
6. The N.A. MSEDCL is directed to submit the compliance report within period of one month to the forum from 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

No.CGRF /AKZ/ AKL/ 147

Dt. 15/09/2017

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

The order passed on 14/09/2017 in the Complaint No. 31/2017 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 Ganpatrao Dhule, At Post Sungaon , Tq. Jalgon Jamod Distt. Buldhana