

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

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

**ORDER.**

**Dt. 05/04/2017**

**Complaint No.9/2017**

**In the matter of grievance pertaining to failure of transformer & failure to meet standards of performance as per SOP regulation.**

**Quorum**

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

Shri Arun Ganpatrao Dhule for  
Late Ganpatrao K.Dhule,  
At Post Sungaon , Tq. Jalgon Jamod        :-        Complainant.  
Consumer No.Ag- 290030162160

.....Vrs.....

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

**Appearances :-**

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

1.                                On being aggrieved by the inaction on the part of IGRC Buldhana the complainant Arun Ganpatrao Dhule for Late Ganpatrao K.Dhule,approached this forum. According to the complainant IGRC Buldhana have not decided the complaint dtd, 30.11.2016 acknowledged on 30.11.2016. According to complainant he is Agriculture Consumer of N.A. MSEDCL having connection No.Ag- 290030162160 at mouje Wavdi Herdo Gut No. 24. According to complainant transformer from where electric supply was fed to Ag pump failed on 15.07.2016 and intimation was given to NA on 27.07.2016. According to complainant said transformer was in burnt condition and hence electric supply to Ag.pump remained disrupted for 4 months, and could not water his farm and put

to loss of 100% fruits of mango, chiku and orange cultivation alongwith 60% loss of crops to Gram and Soyabin. According to complainant the cost of transportation of failed transformer and New after replacement has been borne by complainant as per instruction of N.A. and also incurred expenditure of labour towards loading/unloading and erection. Complainant further prayed for SOP compensation as per Electricity Act-2003 section 57 and crop compensation of 15 Lakhs, alongwith refund of expenditure incurred for transportation and labour. Complainant also prayed for giving direction to MSEDCL to take action as per Electricity Act-2003 on illegal connection on the said transformer. Complainant Annexed bunch of documents such as Adhar Card, Ration card, Panchanama of revenue authority, bill towards expenditure incurred, information under RTI, and failure report of transformer.

2. In spite of 15 days notice to N.A. MSEDCL did not file reply on record upto 20.02.2017 & requested time for filing reply up to 23.02.2017. N.A. submitted the reply by email on 27.02.2017. According to N.A. it is denied that transformer was in failed condition for 4 months but alternative supply arrangement was made. According to N.A. expenditure of transportation was incurred by the complainant as per their consent. According to N.A. expenditure for erection is not incurred by complainant and facts mentioned in the complaint at para no 3 & 4 of the complaint are denied. According to N.A. complainant have not installed capacitor and found to be using auto switch. N.A. also denied the fact in their reply that, failure of transformer is attributed to illegal connections of the said transformer. According to N.A. panchnama for crop damages is not in order. N.A. in their reply have stated that complainant have not claimed SOP compensation within 60 days as per regulation 12.2 of SOP regulation 2014 and hence claim for SOP be rejected.

3. N.A. representative didnot remain present for the hearing fixed on 22.03.2017,while complainant alongwith representative were present. During hearing on 31.03.2017, representative of complainant brought to the notice of forum about failure of transformer on 15.07.2016 which was replaced but with failed unit and three times said transformer was replaced up to 25.11.2016 hence damaging the crop for want of watering the field. It is also brought on record that N.A. MSEDCL have not provided the copy of reply and also MRI copy and hence according to complainant the N.A.'s say in their reply that supply was restored and fed from another transformer in 2<sup>nd</sup> Nov-2016 should not be accepted, as supply was never restored up to 25.11.2016. According to complainant N.A. MSEDCL failed to meet standards of performance specified in SOP regulation and entitled for compensation of Rs. 50/- per hr, alongwith compensation for loss of crop as per the valuation/panchanama of revenue authority. Representative of the complainant on interrogation from the forum have accepted that claim for SOP compensation Rs.50 per Hrs is not claimed earlier than 30.11.2016. Claim for SOP compensation was first submitted to IGRC Buldhana on 30.11.2016 bearing the seal & signature of receipt authority as stated by the representative. Further argued and prayed for settlement of SOP compensation by forum & its payment by cash or cheque and further requested to not to adjust such claim through energy bills. Complainant representative requested to forum to direct MSEDCL to pay Rs.300/- towards the cost of conveyance for journey on 22.03.2017 when N.A. representative was absent for hearing. Alongwith letter for Rs.300/- complainant representative filed on record additional documents such as i) Panchanama ii) failure report on 15.07.2016 iii) failure report of 30.09.2016 iv) application for disconnection of illegal connection v) application for MRI vi) report of installation of capacitor. Complainant representative lastly prayed for SOP compensation for 134 days & alongwith compensation for damages to crop and cost. Complainant representative on interrogation from the forum have admitted the fact that claim for crop compensation in the present grievance was also included in the grievance submitted to this forum in case No. 4/2017.

4. Heard learned representative of N.A Shri A.G. Kathode Dy.E.E. Jalgaon Jamod. N.A. in their reply have categorically denied that transformer was in failed condition for 4 months. According to N.A. supply was restored from another transformer. According to N.A. complainant is not entitle for SOP compensation as per section 12.2 since it is not claimed within 60 days from first occurrence of 15.07.2016. During hearing N.A. brought to the notice of forum that said transformer was failed 3 times and not 4 times as claimed by complainant on 15.07.2016, 30.09.2016, and 26.10.2016 and admitted that transformer was not in working condition from 1) 15.07.2016 to 17.08.2016, 2) 30.09.2016 to 18.10.2016 3) 26.10.2016 to 25.11.2016 but supply to the Ag. pump of complainant was restored from another transformer for the period 02.11.2016 to 25.11.2016 and filed in support permission of Electrical Inspector dtd. 18.07.2016. During hearing N.A. brought to the notice of forum that panchanama on record filed by the complainant for claiming crop compensation has been objected and appeal has been filed before Tahsildar Jalgaon Jamod dtd.01.02.2017 and Tahsildar Jalgaon Jamod vide letter 21.02.2017 has ordered to carryout panchanama on facts, and report is still awaited. N.A. also brought on record about panchanama given by complainant on dtd. 16.12.2016 and submitted to Taluka Agricultural Officer Jalgaon Jamod dtd. 17.02.2017 differ and hence should not be accepted as evidence and hence requested forum to reject the claim for crop damages. N.A.'s representative brought to the notice of forum that the claim for crop damages was also included in the case no. 4/2017 before CGRF Akola and the same is decided by the forum on 09.03.2017. N.A. representative further prayed for rejection of the claim towards crop compensation as repeated with malafide intention by the complainant. Further N.A. during hearing brought to the notice of forum that from 15.07.2016 maximum period was rainy season and hence complainant is claiming compensation on false pretext. Further N.A. representative brought on record that transformer transportation expenditure was not incurred by the present complainant hence to be rejected. Claim for other occasion as claimed by the

complainants be rejected. N.A. filed on record Electrical Inspector letter dtd. 18.07.2016, MSEDCL letter datd. 01.02.2017 and Tahsildar Jalgaon Jamod letter 21.02.2017.

5. Forum find substance in the fact that claim for SOP compensation should be preferred within 60 days as per SOP regulation 2005 read with amendment 2014. From the available record it is admitted fact that claim for SOP compensation by the complainant is preferred on 30.11.2016 before IGRC Buldhana. So according to regulation complainant is not entitled for SOP compensation prior to 30.09.2016. As established transformer was not in service for the period 15.07.2016 to 16.08.2016, 30.09. 2016 to 17.10.2016 , 26.10.2016 to 25.11.2016 . So, complainant is entitled for SOP for the period 01.10.2016 to 17.10.2016 & 26.10.2016 to 25.11.2016 for 48 days. The complainant is not entitled for SOP compensation for 15.07.2016 to 16.08.2016. as not claimed within 60 days of its failure to attend. Forum is satisfied as per the admission given by N.A. that complainant has not incurred expenditure towards transportation Rs.1000/- and is not entitled for refund of Rs.1000/- . It could not be brought on record that the erection of transformer has been carried out by the complainant hence complainant is not entitled for labour charges towards erection. It is admitted facts on record that N.A. did not remain present on 22.03.2017 when complainant was present and hence is entitled for conveyance Rs.150/- as against Rs.300/- claimed. For the claim of crop compensation is repeated in earlier grievance decided by the forum on case No. 4/2017 on 09.03.2017, same is rejected. The claim for crop compensation is also not admissible as no order of revenue authority is filed on record by complainant, on the contrary two panchanama are on record signed by same authority which differ from one – another. Forum finds substance in facts brought on record by N.A. that revise order from Revenue authority in appeal is awaited. Forum is not inclined to accept

the claim for crop damages. With these observations forum proceeds to pass following unanimous order.

**// ORDER //**

1. That the Complaint No.09/2017 is hereby partly allowed. The N.A. MSEDCL is directed to pay SOP compensation to the complainant for 48 days at the rate Rs.1200/- day amounting Rs. 57,600/- each (Fifty seven thousand six hundred only ) as per Appendix "A" (2) (iv) of SOP regulation-2014,to be adjusted in the forthcoming bills of the complainant.
2. The N.A. MSEDCL is directed to pay Rs. 150/- the complainant towards cost of conveyance.
3. That the compliance report be submitted within period of two months 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

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**No.CGRF /AKZ/ AKL/ 65**

**Dt. 05 /04/2017**

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

The order passed on 05/04/2017 in the Complaint No. 9/2017 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