

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

*“Vidyut Bhavan”,
Ratanlal Plots,
Akola: 444 001
Tel.No.2434476*

Dt- 23/10/2013

Complaint No.85/2013

In the matter of grievance of non providing of electric connection for

Ag.pump with other reliefs

Quorum :

Shri T.M.Mantri,	Chairman
Shri A.S.Gade,	Member
Shri P.B.Pawar,	Secretary

Devanand Devram Chaware

.... Complainant

...VS...

The Executive Engineer, MSEDCL, Achalpur Dn.

... Respondent

Appearances:

Complainant Representative: Devanand Devram Chaware .

Respondent Representative: Shri Pise, Assistant Engineer, Rural Dn. Akola.

1. The complainant has approached this forum in respect of his grievance for not providing electric connection to his Ag.pump alleging that on 28/2/2013 he has submitted the application and after receipt of demand note dt. 17/4/2013 has deposited Rs.7600/- accordingly. According to the complaint some time in May 2013 (28th/29th) poles have been erected but no wires have been installed and no connection has been provided. Reference has been made to oral requests made so also written application dt. 29/5/2013, 04/06/2013 and 07/06/2013 but there is no response, compelling the complainant to approach this forum seeking reliefs as prayed for i.e. for providing electric connection, compensation, alongwith Rs.5000/- towards

mental harassment with fine. Alongwith the complaint copies of referred documents have been filed.

2. Notice as per regulations was sent to the concerned office of the N.A.licensee for its reply to the complaint. Reply came to be filed late, initially it has been stated that release of new Ag. connection is pending due to non availability of fund for Ag. paid pending from 01/04/2012 and Ag. connection to the complainant will be released as per chronology and as per availability of material. However later on additional reply came to be filed and referred to the directives issued by the HO Mumbai vide letter dated 28/05/2013 with further directions therein. Accordingly the concerned contractor have been allotted the work of electric connection. The complainants name is at Sr.No.1259 in the seniority list of Sub Dn. So also additional reply came to be filed that it is not possible to provide electric connection from the existing transformer. Additional new 63 KVA transformer is to be installed at Chinchona requiring erection of new line and the connection to the complainant is sanctioned from this new transformer as per sanctioned order No.AE/Amz/Tech/Estt/SPA/68 dt.10/5/2013 with further averments that the connection will be provided to the complainant as early as possible. Alongwith the additional reply copies of documents came to be filed which have been provided to the complainant.

3. Heard complainant in person and Shri Pise, A.E. the learned representative for the N.A.licensee.

4. From the records and submissions it is clear that most of the facts are not in dispute, such as submission of application, issuing of demand note, remittance of the amount as per demand note by the complainant. It is

pertinent to note that the copies of written communications made by the complainant with the concerned authorities of the N.A.licensee are on record and the same have not been dealt with in the reply by the N.A. They have not been denied, even during course of arguments so it is clear that the complainant has been pursuing the matter. None of the letters have been replied but at the same time the N.A. has filed certain documents such as paid pending list of the concerned sub division, wherein complainant's name is at Sr.No.1259. From the said list it is clear that the various details are given and in the last column it is mentioned "68/DT 10/5/2013", so it is clear from the record that the installation of new transformer has been made by the above referred sanctioned order. The said submission made on behalf of the non-applicant has not been seriously disputed by the complainant but at the same he has pointed out that none of the letters referred to above have been replied from the side of the N.A.licensee and in the letter of 29/5/13 there is reference of installation of the pole in the Ag. field. The learned representative of the N.A.licensee has submitted that as per his knowledge there is no installation of the pole, as the work order has not been provided. One cannot accept this submission of the N.A. as specially when the complainant has specifically mentioned in the letter of 29/5/13 and even in the subsequent letters about the same. None of them have been replied. Nothing has been stated in reply in that respect. But at the same time it is clear from the record that for providing electric connection to the complainant it is necessary to install new transformer and sanction order dated 10/5/13 as referred to above is already made, in that respect.

6 In the background of such facts and circumstances, the submissions made on behalf of the complainant that after a period of three months of

submissions of application it was necessary for the N.A. to provide electric connection and upon failure to pay compensation as per regulations, cannot be accepted. The period of three months SOP provided not in such case but as per MERC (Standard of performance of distribution licensee, period of supply and determination of compensation) Regulation 2005 in Appendix 'A' 1(iii) mentions period of 1 year for commissioning of sub station is required. According to the N.A. installation of new transformer amounts to commissioning of such sub station. This technical aspect has been seconded by the learned Secretary of this Forum ,who is technical person. So if one considers the provisions, under regulations (v) in such case, period of one year is provided for completing the work i.e. SOP. As already observed above, sanctioned order of new transformer dt.10/5/13, so it can be said that the N.A.licensee is taking steps but the period as provided under regulation is yet to over. The learned representative of the N.A.licensee has submitted that attempt is being made to provide the electric connection to the complainant as early as possible. As the requisite period of standard of performance is yet to complete, this forum is of the view that complainant's claim for compensation and directions in respect of providing immediate connection cannot be given, but it will be just and proper to observe that the concerned office of the N.A.licensee to take steps as early as possible for installation of the new transformer and upon its installation to provide electric connection to the complainant, as early as possible, with such observations the Forum proceeds to pass the following unanimous order.

ORDER

- 1) That complaints NO. 85/2013 is hereby disposed off rejecting the request of the complainant for direction for providing immediate connection with compensation, however concerned office of the N.A.licensee to take steps for installation of new transformer as early as possible and to provide connection to the Ag. pump of the complainant, immediately upon installation of the transformer, well within the period prescribed in Appendix A₁ (iii) of Maharashtra Electricity Regulatory Commission (Standards of Performance of Distribution Licensees, Period for Giving Supply and Determination of Compensation) Regulations 2005.

- 2) In the circumstances parties to bear their own costs.

Sd/-
(P.B.Pawar)
Secretary

Sd/-
(A.S.Gade)
Member

Sd/-
(T.M.Mantri)
Chairman