

**CONSUMER GRIEVANCE REDRESSAL FORUM,
MSEDCL, BMTZ, BARAMATI.**

Case No.: 03/2015

Date of Grievances: 04/03/2015

Date of Order: 05/06/2015

In the matter of New Agricultural Connection.

Mrs. Radha Shamrao Bendre,
At-Post - Amble, Tq-Shirur, Dist. Pune.
Consumer No. 184540042555

Complainant

(Herein after referred As Consumer)

Versus

Executive Engineer,
M.S.E.D.C.L., O&M,
Kedgaon Division, Dist.-Pune.

Opponent

(Herein after referred As Licensee)

Quorum

Chairperson
Member Secretary

Mr. Shahaji Narsingrao Shelke
Mr. Sanjay Mahadeorao Akode

Appearance:-

For Consumer: -

1) Mr. Ramesh Bhausheb Bendre
(Representative)

For Respondent: -

1) Mr. Sachin Korde,
Executive Engineer (Adm.)
2) Mr. Mahesh Deshmukh, I/C Executive Engineer Kedgaon
Division.
3) Mr. Rajendra Bhujbal Dy. Executive Engineer, Shirur Sub-
Division.

1. The Consumer has filed present Grievance application under regulation No. 6.4 of the MERC (CGRF& E.O.) Regulations 2006. Herein referred to as the Regulations.
2. Being aggrieved dissatisfied since IGRC did not decide the grievance within 60 days, the consumer above named approaches the forum on the following amongst other grounds.

3. The papers containing the above grievance were sent by the forum to the Executive Engineer, Kedgaon Division vide letter No. EE/CGRF/BMZ /No1148 dated 10/03/2015. Accordingly the Distribution License, MSEDCL, filed its reply on 23/04/2015.
4. The factual aspects of the Grievance are as below.
 - i) The Consumer Mrs. Radha Shamrao Bendre has applied for New Agricultural Connection at Ambale village on 6.9.2011.
 - ii) As per the consumer's application, the Licensee MSEDCL sanctioned the Agricultural connection vide order No.EE/KED/T/SPA-PE/950229/253/11-12 dated 13.10.2011& issued the firm quotation.
 - iii) Accordingly the consumer Mrs. Radha Shamrao Bendre paid the firm Quotation on 24/10/2011.
 - iv) The consumer did not get the Agricultural connection till December-2014.
 - v) Consumer filed grievance before IGRC Baramati on 13.12.2014.
5. The Consumer Mrs. Radha Shamrao Bendre was represented by Mr. Ramesh Bhausaheb Bendre. He submitted that the consumer has paid the quotation charges on 24/10/2011, but he did not get Agriculture connection till 4.3.2015. He claimed that he should be given the Agricultural connection immediately. Further he claimed that he should be given compensation & action should be taken against the concerned MSEDCL officers.
6. On the other hand, Mr. Rajendra Bhujbal Dy. Executive Engineer, Shirur Sub-division, submitted that the work of erection of poles was given to the contractor M/s. Ashoka Buildcon Ltd. on 20/09/2014. Then again reminder of work was given by Licensee vide Dy.EE/SHR/T/No. 94 Dated 09/01/2015. The contractor has made grievance on 16/04/2015 that the work of Mrs. Radha Shamrao Bendre could not be completed since the neighboring farmer Mr. Kaluram Bendre has created Right Of Way problem & did not allow to erect the pole in his field.
7. During the hearing on 12/05/2015, Mr. Rajendra Bhujbal Dy. Executive Engineer and Mr. Mahesh Deshmukh sought a period of 10 days for solving the Right Of Way problem. They requested the consumer to remain present at the site for resolving problem of Right of way with neighbouring farmers Mr.Kaluram Bendre.
8. Accordingly Assistant Engineer Nahvra section has resolved the Right of way problem after having discussion with farmers. Thereafter the L.T. poles and line erection work was carried out on 24/05/2015 & 25/05/2015. Further on 27/05/2015 the Energy meter No. 60108205 was also installed and Agriculture connection of Mrs. Radha

Shamrao Bendre was released vide consumer No. 184210001411. The Dy.E.E. Sub/Division Shirur informed about the same vide letter dated 29.5.2015.


9. Mr. Rajendra Bhujbal, Dy. Executive Engineer, Shirur Sub-division submitted that the Licensee should not be held responsible for delay due to Right of Way problem vide Regulation No. 4.10 of Maharashtra Electricity Regulatory Commission (Standard of performance of Distribution Licensees, period for Giving supply & Determination of Compensation) Regulation 2014.
10. Regulation No. 4.10 Maharashtra Electricity Regulatory Commissions- (Standards of Performance of Distribution Licensees, period for Giving Supply & Determination of Compensation) Regulations, 2014 reads as under -

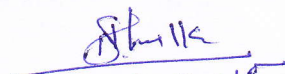
4.10 "The Distribution Licensee shall not be held responsible for the delay, if any, in Giving supply on account of problems relating to statutory clearances, right of way, Acquisition of land or the delay in consumer's obligation which is beyond the reasonable Control of Distribution Licensees".

11. Since problem of ROW was existing & since both the parties sought time to resolve the said problem amicably discussing with adjoining farmers, the said grievance could not be decided within stipulated time.
12. Since the grievance of the consumer has been resolved at the division level and since the grievance did not survive we pass the following order.

ORDER

- 1) The grievance of the consumer is hereby dismissed.
- 2) No order as to cost.


Mr. Sanjay M. Akode
(Member Secretary)


5.6.2015
Mr. Shahaji N. Shelke
(Chairperson)