

**CONSUMER GRIEVANCES REDRESSAL FORUM;**  
**MSEDCL NAGPUR (RURAL) ZONE NAGPUR**  
**COMPLAINT NO. 74/2015**

Smt.Vanita R. Itankar  
At.Po.Wagholi  
Tq.Hinganghat  
District - Wardha.

**Complainant**

,,VS..

1. Executive Engineer,  
MSEDCL,O&M Division,  
Hinganghat.

2. Executive Engineer/Nodal Officer,  
I. G. R. C., Circle Office,  
MSEDCL,Wardha.

**Respondents**

Applicant represented by            1) Shri B.V.Betal, Authorized representative  
Respondents represented by    1) Nobody present for the respondent

**CORAM:**

Shri Vishnu S. Bute, Chairman.  
Adv. Gauri D. Chandrayan, Member  
Mrs. D.D.Madelwar, Member-Secretary.

**JUDGEMENT**

**(Delivered on this 1<sup>st</sup> day of Sepember, 2014)**

2. Smt. Vanita Ramesh Itankar At.Po.Wagholi, Tq.Hinganghat, Dist.Wardha (hereinafter referred to as, the applicant) had applied to the distribution licensee MSEDCL (hereinafter referred to as, the respondent) for new connection to her agricultural pump set. It is the contention of the applicant that inspite of the fact that she completed all the formalities the respondent had not released the connection within the time limit prescribed under the MERC (standards of performance of distribution licensees, period for giving supply and determination of compensation) Regulations 2014. She approached the IGRC Wardha. The IGRC Wardha dismissed her application

vide order passed under no.SE/Wardha/Tech/IGRC/470 dated 22-01-2015. Feeling aggrieved by the aforesaid order, the applicant presented the instant application under the provisions contained in Regulation 6.4 of the MERC (CGRF and E.O.) Regulations 2006 on 20-07-2015.

3. A copy of the application was given to the respondent. The respondent was directed to submit parawise reply. The respondent submitted reply under no.EE/O&M /H'ghat/Tech/3920 dated 21-08-2015. The case was fixed for personal hearing on 31-08-2015. Shri B.V.Betal, authorized representative was present for the applicant. He was heard. Nobody was present for the respondent. The written reply of the respondent is placed on record. Now we decide the case on merit.

4. It was contended on behalf of the applicant that she submitted an application for connection to her agricultural pump on 21-06-2012. She received demand note on 26-09-2012. She deposited the amount as per demand on 14-12-2012. She submitted the test report on 10-01-2013. In spite of the fact that the application was complete in all respect the respondent has not released the connection till today. So she is entitle for compensation as provided under the SOP Regulations.

The applicant's prayer was as under,

i) The applicant may be awarded compensation as provided under SOP Regulations. The applicant may be awarded compensation of Rs.2.00 Lakhs towards the loss to her agricultural produce, Rs.50,000/- each may be awarded for physical and mental harassment, Rs.5,000/- each may be awarded for travel expenses & the cost of the instant proceeding.

5. In the parawise reply dated 21-08-2015 the respondent stated that the applicant submitted the application on 21-06-2012. A demand note was issued on 26-09-2012. The applicant deposited the amount on 24-12-2012. She submitted the test report on 10-01-2013. To provide the connection to the applicant augmentation to the existing network i.e. laying of LT line admeasuring 0.18 k.m. was necessary. Her name was entered in the paid pending list of year 2012-13. The applicant has been given connection on 10-04-2015. The applicant has not submitted any survey report of any competent authority. Her prayer is not acceptable. The connections to the agricultural pumps are released as per the orders from the higher authorities and availability of funds under SPA scheme. Since the applicant has been given the connection she may not be awarded any compensation. So the application may be dismissed.

6. The technical member of the forum submitted a note as under,

I have gone through the documents on record & submissions made by both the parties, it is not disputed that the complainant's application was complete in all respect on 10.01.2013, the day on which the test report had been submitted by her to the respondent's office. However the supply of electricity to the agricultural pumps is carried out under various schemes such as SPA –PE ,DPDC etc. The complainant's Ag pump application was sanctioned under SPA scheme. There was huge pendency of agricultural pump applications in Hinganghat Division under SPA scheme, hence the work of laying HT/LT lines & T/F for supplying connections was entrusted to the agency & being carried out as per the seniority of the applications/applicants who deposited the demand amount & completed the formalities in all respect. The complainants name

was included in the paid pending list of the year 2012-13. The list was given to the agency to carry out the work of Ag. pump. Accordingly the concerned agency completed the work & as reported the respondent has released the Ag. pump connection on 10-04-2015.

In view of circumstances mentioned above in my opinion there observed no intentional delay for providing electric connection to the complainant's agricultural pump on the part of respondent . The respondent can not be held responsible for the delay & is not liable for compensation to the applicant as per SOP regulation. The respondent has provided the connection to the complainant's Ag pump on 10.04.2015. As the connection is already given to the complainant's agricultural pump, no compensation needs to be awarded to the complainant.

7. We have perused the record. We have heard the argument advanced by the applicant.

It is admitted position that the applicant submitted the application in the prescribed form. She deposited the amount as per rule. She submitted the test report. Her name is also entered in the paid pending list prepared by the respondent. So it is clear that the application submitted by the applicant was complete in all respect.

Regulation 4.8 prescribe the time limit for release of connection, it reads as under,

*Where the supply of electricity to a premise requires extension or augmentation of distributing mains, the Distribution Licensee shall give supply to such premises within three (3) months from the date of receipt of the completed application and payment of*

*charges. The extension or augmentation of distributing mains includes the extension of HT, LT lines and augmentation of distribution transformer substation.*

After hearing the parties and upon perusal of the record it reveal that the applicant had submitted the complete application. So she was entitle for connection within a period of three (3) months from 10-01-2013. The applicant say that the connection is not released till today. However the respondent firmly stated that the connection is released on 10-04-2015. The position was got confirmed on 31-08-2015. However the respondent confirmed that the connection is released to the applicant. The respondents released the connection on 10-04-2015. So she is entitle for compensation as provided under Regulation 12 and appendix A item1 (iii) attached the said Regulations.

8. In absence of any evidence much less reliable and cogent evidence we are not inclined to accept other claims of the applicant.

9. The respondent can not deny binding effect of SOP Regulations. So the note submitted by technical member can not be considered in toto.

10. In view of the position discussed above we pass the following order, by majority,

### **ORDER**

- i) Application No.74 of 2014 is partly allowed. The applicant is entitle for compensation from 11-04-2013 till the connection is released to her.
- ii) The respondent MSEDCL is directed to pay compensation @ Rs.100/- per week from 11-04-2013 to 10-04-2015. The payment shall be made within ninety days from the date of receipt of this order.



**CONSUMER GRIEVANCE REDRESSAL FORUM**  
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**NAGPUR – 440013**

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[cgrfnz@gmail.com](mailto:cgrfnz@gmail.com)

**(O) 0712- 2022198**

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NO. CGRF/NZ/

Date :

Certified copy of order dated 01<sup>st</sup> September, 2015 in Case No.74 / 2015  
is enclosed herewith.

Member-Secy/ Exe.Engineer,  
C.G.R.F.(NZ)MSEDCL  
**N A G P U R**

To,  
Smt.Vanita R. Itankar, At.Po.Wagholi  
Dist.Wardha

Copy s.w.r.to :-

1. The Chief Engineer(NZ), MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.

Copy f.w.cs.to:

1. The Executive Engineer/Nodal Officer., O&M Circle Office, MSEDCL.Wardha
2. Executive Engineer,C.C.O&M Dn., MSEDCL, Hinganghat.  
for information and necessary action.

Address of the Electricity Ombudsman is given as below.

Office of - The Electricity Ombudsman,  
12, Srikrupa, Vijay Nagar,  
Chhaoni, Nagpur-440 013  
0712-2596670