

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 01/2013

Smt. Vandana Ramkrushna Tikhat
At.Murpad
Po.Kajalsara
Taluka- 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 Shri B.V.Betal

Respondents represented by 1) Shri S.M.Vaidya, Executive Engineer, Hinganghat.
2) Shri P.R.Parankar Junior Engineer, Girad

CORAM:

Shri Vishnu S. Bute, Chairman.
Adv. Gauri D. Chandrayan, Member
Ms. S. B. Chiwande, Member-Secretary.

JUDGEMENT

(Delivered on 06th day of March, 2013)

- 1) The applicant Smt.Vandana Ramkrushna Tikhat R/o. Murpad Po.Kajalsara Tq.Hinganghat is an agricultural consumer no.397530601304. It is alleged that her agricultural pump stop working w.e.f.09-11-2011 due to improper power supply by the respondent. She claimed compensation therefor. She approached IGRC Wardha. Her grievance application has been dismissed by the IGRC. So she filed the instant proceeding. The application is registered at S.No.1 of 2013.

The respondent MSEDCL was directed to submit parawise reply to the application. The Executive Engineer, O&M Dn. MSEDCL submitted reply under No.EE/O&M/H'ghat/Tech/452 dated 24-01-2013.

2) The case was fixed for personal hearing on 22-02-2013. Shri B.V.Betal, a representative was present for the applicant. Shri M.S.Vaidya, Executive Engineer, Hinganghat and Shri P.R.Parankar, Junior Engineer, Girad represented the respondent.

3) It was stated on behalf of the applicant that her agricultural pump stopped working from 09-11-2011 due to low voltage power supply. She approached Junior Engineer (R) and Assistant Engineer (R) in Hinganghat office. She informed the respondent that the pump is not working due to low voltage electricity supply. She requested to take corrective measures. No action was taken. The power supply restored on 10-04-2012. So she may be awarded compensation as per the provisions of the S.O.P. Regulations for not attending the fuse off call within the specified time.

As there was no power supply she could not irrigate her land. So she had to suffer a loss of Rabi crop amounting Rs.35,400/-. She produced certificate of the Taluka Agricultural Officer. She filed a copy of the panchnama of the crop damage.

The applicant was getting the power supply at low voltage. So she may be awarded a compensation for a period of 4 months and 25 days the applicant concluded.

4) Shri Vaidya, reiterated to the written reply dated 24-01-2013. It was further stated that demands of the applicant are improper and excessive. Those are not supported by the survey and inspection reports of the competent authorities. The Junior Engineer of distribution centre, Hinganghat (R) got the complaint of low voltage supply

on 09-11-2011. After inspection, it was noticed that applicant's agricultural pump was at the furthest end. It was also noticed that the transformer which used to give supply to the applicant's pump set was over loaded. So the new transformer was installed at village Murpad. The applicant was given supply from new transformer on 10-04-2012. The contents of the panchnama dated 24-11-2011 and the contents in letter dated 25-11-2011 did not correlate each other. There is no force in the grievance application. It may be dismissed.

5) Having heard the parties and upon careful perusal of documents on record the issue arises, whether the grievance falls under fuse off call category and whether the applicant is entitle for award of compensation in terms of the MERC (standards of performance of Distribution licensees, period for giving supply and Determination of compensation) Regulations, 2005.

As per the application dated 03-01-2013 in Annexure 'A', supplementary statement dated 03-01-2013 and dated 22-02-2013, the applicant claims compensation under fuse off call category.

The grievance as stated by the applicant is that the power supply to her agricultural pump was at low voltage. So the pump was not working. She had to suffer a loss.

The definition of, fuse off call, reads as follows, "refers to a complaint handling procedure with regards to an individual consumer and involving restoration of supply by

replacement of a fuse at such consumer's premises, not simultaneous with any other failure”.

The case in hand was not a case of restoration of supply by replacement of a fuse but it was the case that the agricultural pump stopped working because the power supply was at low voltage. So it will not be proper to discuss and decide the case under the fuse off call category.

6) Next issue for discussion will be as to whether the applicant can be awarded any compensation.

The level of compensation payable to consumer for failure to meet standards of performance is described in appendix 'A'. The Regulation also provide for compensation for power supply at low or high voltage. However the proviso reads as follows,

“Provided further that the commission shall separately notify the date on which such compensation shall be payable in other areas, not covered above, in the state”.

There is nothing on record to show that the commission has notified the aforesaid date.

In view of the aforesaid position the applicant can not be granted the compensation.

In the facts and circumstances discussed above, we pass the following order,

ORDER

- 1) The grievance application No.01/2013 is hereby dismissed.
- 2) No order as to cost.

Sd/-
MEMBER
CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR

Sd/-
MEMBER SECRETARY
(Nagpur Dtd.06th day of March, 2013)

Sd/-
CHAIRMAN
CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440 013
(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dtd 06th March, 2013 in Case No.01/2013 is enclosed herewith.

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

To,
Smt. Vandana Ramkrushna Tikhat, At.Murpad, Po.Kajalsara, Tq.Hinganghat
Dist.Wardha

Copy S.W.R.to :-

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

Copy F.W.Cs.to:

1. The Executive Engineer/Nodal Officer., O&M Circle Office, MSEDCL.Wardha
2. The 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

