

CONSUMER GRIEVANCES REDRESSAL FORUM;

MSEDCL CHANDRAPUR ZONE CHANDRAPUR

COMPLAINT NO. 96/2015

Shri Mahadeo Uddhav Awari
At.Ralegaon, Po.Patala
Tq.Bhadrawati
District - Chandrapur.

Complainant

,,VS..

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

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

Respondents

Applicant represented by 1) Shri B.V.Betal, an authorized representative
Respondents represented by 1) Shri V.N.Bhojar, Dy.Exe.Engineer, Warora S/Dn.

CORAM:

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

JUDGEMENT

(Delivered on this 21st day of October, 2015)

2. Shri Mahadeo Uddhav Awari, r/o.Ralegaon, Po.Patala, Tq.Bhadrawati, Dist. Chandrapur (hereinafter referred to as, the applicant) applied to the MSEDCL (hereinafter referred to as, the respondent) for agricultural connection. It is the contention of the applicant that the respondent failed to release the connection within the stipulated period prescribed under the MERC (standards of performance of distribution licensees, period for giving supply and determination of compensation) Regulations 2014. So he claims compensation.

He approached the IGRC Chandrapur on 30-06-2015. Since the IGRC failed to

pass any order within the period of two months he approached this forum on 23-09-2015.

3. The respondent submitted parawise reply. The case was fixed for personal hearing on 21-10-2015. Shri B.V.Betal, a representative was present for the applicant. Shri V.N. Bhojar, Dy.Executive Engineer, O&M Sub Division, Warora represented the respondent. Both the parties were heard.

4. Shri Betal argued that the applicant submitted an application for connection to his agricultural pump on 27-11-2014. He was given demand note on 16-12-2014. He deposited the amount on 19-01-2015. He submitted the test report on 09-03-2015. Since the augmentation of LT lines is necessary he was entitle for connection within the period of three months from 09-03-2015. However the respondents have not released the connection till today. Due to non availability of power supply he could not irrigate his land. So a compensation of Rs.2.00 Lakhs may be awarded. The compensation of Rs.15000/- and Rs.10000/- respectively may be awarded for physical and mental harassment. Compensation of Rs.3000/- may be awarded for travels expenses. Compensation of Rs.5000/- may be awarded towards the expenditure incurred by the applicant for the instant proceedings.

The applicant approached the IGRC Chandrapur. The IGRC heard the case on 09-10-2015. At the time of hearing the Chairman, IGRC directed the applicant to produce the receipt of the purchase of the installation material. The Chairman, IGRC directed the respondent to release the connection within the period of seven days from the date, the applicant produce the receipt.

Now the respondent say that there was no installation, meter box, earthing wire etc. near the well of the applicant. However this is not true. The applicant produced the receipts of purchase of the material. The respondent also say that there is no borewell in the agricultural land of the applicant. However this is not true. The respondent gave the demand note after spot inspection and other verification of the borewell. There is an entry of borewell in the 7/12 extract of the land.

Finally the applicant requested that compensation may be awarded as stated above. The respondent may be directed to release the connection immediately.

5. Shri V.N.Bhoyar replied for the respondent. He referred to the written reply dated 20-10-2015. Shri Bhoyar admitted that the applicant submitted the application. He deposited the S.D. amount. He submitted test report also.

He further submitted that the Chairman, IGRC, Chandrapur directed the respondent to release the connection immediately. So also the applicant was directed to produce the receipt of purchase of the material. The applicant produced the receipt also. However when the employees of the contractor and the representative of the respondent company visited the agricultural land of the applicant, it was the noticed that there was no installation which is necessary to release the power connection to the agricultural pump. So it is clear that the applicant produced false test report. Shri Bhoyar further stated that when he personally visited the agricultural land it was noticed that there was no borewell. So it is not possible to release the connection. He further stated that the adjacent land owners objected to lay the LT lines as the work may damage to their standing crops.

The respondent requested that unless the applicant comply the aforesaid discrepancies it is not possible to release the connection. The application may be dismissed.

6. We have perused the record. We have heard the arguments advanced by both the parties. It is admitted fact that the applicant submitted the application for agricultural connection. He also deposited the required amount. He also submitted the test report.

However now the respondent say that there is no proper installation which is necessary to release the connection. Secondly the respondent say the there is no borewell in the agricultural land of the applicant. Furthermore it is also stated that the adjacent land owners objected to lay the LT lines to release the connection.

It is expected that the respondent carry out the spot inspection before the demand note is given to the applicant. There is no proper evidence on record to show that there is no borewell in the agricultural land of the applicant. In absence of proper and firm documentary evidence it had become difficult to decide the case any way.

In such circumstances it will be proper that some senior officer of the respondent company visit the agricultural land of the applicant in the presence of the applicant and prepare a panchnama or spot inspection note. The respondent may submit the note to the IGRC Chandrapur and IGRC may pass a suitable order.

So we pass the following order,

ORDER

- i) Application No.96 of 2015 is partly allowed. The case is remanded back to the IGRC Chandrapur. The Executive Engineer, Warora Division should personally

visit the agricultural land of the applicant. He may give a written notice to the applicant of his proposed visit. The Executive Engineer will draw a panchnama in the presence of the applicant. The panchnama should mentioned as to whether there is a borewell or otherwise. The panchnama should also mention as to whether there is proper installation to release he connection or otherwise. The Executive Engineer will also discuss with the adjacent land owners and verify as to whether it is possible to lay the LT lines in view of the fact that there are standing crops. The Executive Engineer should submit the report to the IGRC Chandrapur. The IGRC Chandrapur may pass the suitable order before 30-11-2015.

ii) No order as to cost.

Sd/- (Adv.Gauri D.Chandrayan) **sd/-** (Mrs.D.D.Madelwar) **sd/-** (Vishnu S. Bute)
MEMBER **MEMBER SECRETARY** **CHAIRMAN**
CONSUMER GRIEVANCES REDRESSAL FORUM: CHANDRAPUR ZONE CHANDRAPUR
(Chandrapur Dtd.21st day of October, 2015)

CONSUMER GRIEVANCE REDRESSAL FORUM
CHANDRAPUR ZONE, CHANDRAPUR, M. S. E. D. C. L.

NO. CGRF/CZ/

Date :

Certified copy of order dated 21st October, 2015 in Case No.96 / 2015 is enclosed herewith.

Member-Secy/ Exe.Engineer,
C.G.R.F.(CZ)MSEDCL
CHANDRAPUR

To,
Shri Mahadeo Uddhav Awari, At.Ralegaon, Po.Patala, Tq.Bhadrawati
Dist.Chandrapur

Copy s.w.r.to :-

1. The Chief Engineer(CZ), MSEDCL, Chandrapur.

Copy f.w.cs.to:

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