

vide order passed under no.SE/Wardha/Tech/IGRC/6420 dated 12-11-2013. 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 17-12-2013.

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/13 dated 02-01-2014. The case was fixed for personal hearing on 11-02-2014. Shri B.V.Betal, authorized representative was present for the applicant. Shri M.S.Vaidya, Executive Engineer, Hinganghat & Shri P.R.Parankar, Junior Engineer, Samudrapur, represented the respondent. Both the parties were heard.

4. It was contended on behalf of the applicant that he submitted an application for connection to his agricultural pump on 27-04-2011. He received demand note on 07-12-2011. He deposited the amount as per demand on 19-12-2011. He submitted the test report on 02-01-2012. In spite of the fact that the application was complete in all respect the respondent has not released the connection till today. So he 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 Lakhs towards the loss to his 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.

ii) The respondent may be directed to release the connection immediately.

5. Shri Vaidya, Executive Engineer, referred to the parawise reply dated 02-01-2014. It was further stated that the applicant submitted the application on 27-04-2011. A demand note was issued on 17-09-2011. The applicant deposited the amount on 19-12-2011. He submitted the test report on 02-01-2012. To provide the connection to the applicant erection of L.T. line admeasuring 0.48 k.m. is necessary. His name is entered in the paid pending list of year 2011-12 at sr.no.251. The applicant has not submitted any survey report of any competent authority. His 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. If the applicant was in need of the connection immediately, he should have applied for connection under non DDF (CC & RF) scheme started as per MSEDCL circular no.22197 dated 20-05-2008. The work to release the connections to the applicants who have deposited the demand amount during the period June 2010 to March 2011 is in progress. Shri Vaidya finally stated that the connection has been released on 22-01-2014. 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 02.01.2012, the day on which the test report had been submitted by him 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, Non DDF CCRF etc. The complainant's Ag pump application was sanctioned under SPA scheme As 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.

MSEDCL's circular 22197 of 20.05.2008 regarding NON DDF CCRF Scheme , gives option to applicants to carry out the works, get supply early and get refund of the costs incurred, through future electricity bills The complainant had not opted under the said scheme for early connection.

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 has provided the connection to the complainant's Ag pump on 22.01.2014 as per the seniority list. 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 arguments advanced by both the parties.

It is admitted position that the applicant submitted the application in the prescribed form. He deposited the amount as per rule. He submitted the test report.

His name is also entered in the paid pending list prepared by the respondent. So it is clear that the application submitted by the applicant is complete in all respect.

Regulation 4.5 prescribe the time limit for release of connection, it reads as under,

4.5 Where the supply of electricity to a premises requires extension or augmentation of distribution mains, the distribution licensee shall give supply to such premises within three (3) months from the date of receipt of complete application in accordance with the Maharashtra Electricity Regulatory Commission (Electricity supply code and other conditions of supply,) Regulations, 2005.

After hearing the parties and upon perusal of the record it reveal that the applicant had submitted the complete application. So he was entitle for connection within a period of three (3) months from 02-01-2012. The respondents have not released the connection within the prescribed time limit. So he 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.

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440013

Email.id- cgrfnz@mahadiscom.in
cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 13th February, 2014 in Case No.113 / 2013 is enclosed herewith.

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

To,
Shri Prabhakar Shamraoji Pardhi, At.Po.Mangrul, Tq.Samudrapur, 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. 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