

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 08/2013

Shri Prakash Ramchandra Dhote
T.B.Toli, Near Datta Mandir
District - Gondia.

Complainant

,,VS.,

1. Executive Engineer,
MSEDCL,O&M Division,
Gondia.
2. Executive Engineer/Nodal Officer,
I. G. R. C., Circle Office,
MSEDCL,Gondia.

Respondents

Applicant represented by 1) Shri Narendha Raut
2) Shri P.R.Dhote

Respondents represented by 1) Shri A.B.Kurekar, Dy.Exe Engineer, Gondia.

CORAM:

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

JUDGEMENT

(Delivered on 20th day of March, 2013)

1) The present grievance application is filed before this Forum on 06-02-2013 in the prescribed schedule 'A' as per Regulation no.6.3 of the MERC (CGRF & EO) Regulations 2006.

It is stated by the applicant that the fuse off call was not attended by the respondent during the prescribed time limit. So he claimed the compensation.

The matter was fixed for personal hearing on 18-03-2013. Shri Prakash Ramchandra Dhote the applicant himself was present. Shri Narendra Shriramji Raut

the representative accompanied him. Shri A.V.Kurekar, Dy.Executive Engineer, Gondia represented the respondent. Both the parties were heard.

On receipt of the grievance application the respondent was asked to furnish parawise remarks on the applicant's application in terms of Regulation no.6.7 and 6.8 of the said Regulations. The respondent accordingly submitted the parawise remarks under no.EEG/Tech/2314 dated 15-03-2013.

2) The applicant contended that he has a residential electricity connection. The power supply to his residence failed on 14-07-2012 at 6.00 p.m. He registered formal complaint thereabout. The workers of the respondent came and visited the spot. However the grievance was not redressed. The power supply was not restored. The workers gave lame excuses. Such as, their vehicle had no reverse gear. They had a shortage of staff . Finally on 18-07-2012, they stated that the service wire needs to be replaced. Having no alternative, the applicant purchased the service wire. Again he had to inform the respondent. Thereafter the workers restored the power supply at 4.00 p.m. on 18-07-2012.

As there was no power supply during 6.00 p.m. of 14-07-2012 to 4.00 p.m. of 18-07-2012, without any valid reason, the applicant may be awarded the compensation as per rule.

The applicant approached IGRC Gondia. However without taking into consideration the facts and circumstances of the case, the IGRC dismissed the application. The order of the IGRC is illegal and improper. It may be set aside.

3) Shri Kurekar represented the respondent. It was stated that the respondent received the complaint on 14-07-2012. The workers tried to redress the complaint 2, 3 times during the period 14-07-2012 to 18-07-2012. The service line is about 160 feet in length. The wire was old. It was noticed that there was a loose contact. Thereafter it was noticed that there were breakages in the wire. The wire was not available in the store. So the applicant was directed to procure the wire. The direction was as per 1.3% consumer contribution. As soon as the applicant procured the wire on 18-07-2012, the defect was removed and the power supply was restored.

It was further stated that the problem was removed on 18-07-2012. However the applicant approached the IGRC on 20-10-2012. Since the applicant failed to approach within 60 days the applicants claim for compensation is time barred.

In reply the applicant stated that the provision of consumer contribution is for giving the supply for the first time. Thereafter it is the responsibility of the distribution licensee to provide proper supply upto the point of supply. So the respondent should reimburse the amount, the applicant had to pay for procurement of the service wire. The applicant also admitted that he approached the IGRC on 20-10-2012.

4) We have perused the record. We have heard the argument advanced by both the parties carefully. It is admitted fact that the power supply failed on 14-07-2012. The respondent also admitted that they got the intimation on 14-07-2012 itself. The respondent could not restore the supply because the service line from the distribution mains upto the premises of the applicant was bad and improper. The respondent took 5

days to conclude the basic reason. Naturally the applicant had to face lot of inconvenience.

Now as per the respondent they directed the applicant to procure the wire and it is as per the directions of higher authorities. However the respondent has not produced any documentary evidence in support of their contention. The applicant say that these directions are for the new connections.

Regulation 9 of the MERC (Electricity supply code and other conditions of the supply) Regulation 2005 reads as,

“9 – wiring of consumers premises

The work of wiring at the premises of the consumer beyond the point of supply shall be carried out by the consumer and.....”

So we are of the opinion that the respondent should have taken appropriate steps to procure the wire upto the point of supply. Since the applicant himself procured the wire the respondent should reimburse the cost of the wire.

It is a fact that the power supply restored on 18-07-2012. At the time of hearing the applicant himself admitted that he approached IGRC on 20-10-2012 for the first time. Now the applicant claim compensation. However as per the provisions of Regulation 12.2 of the MERC (standards of performance of the distribution licensees, period for giving supply and determination of compensation) Regulation 2005 since the applicant approached the respondent after the period of 60 days, the claim is barred by limitation.

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

ORDER

- 1) The grievance application No.08/2013 is partly allowed.
- 2) The respondent should reimburse the amount of Rs.600.00 to the applicant in cash.
- 3) The compliance of this order should be reported within 90 days..
- 4) The parties to bear their own cost.

Sd/-	Sd/-	Sd/-
<u>MEMBER</u>	<u>MEMBER SECRETARY</u>	<u>CHAIRMAN</u>
<u>CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR</u>		
<u>(Nagpur Dtd.20th day of March, 2013)</u>		

**CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.**

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,

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(O) 0712- 2022198

Email.id- cgrfnz@mahadiscom.in

cgrfnz@gmail.com

NO. CGRF/NZ/

Date :

Certified copy of order dtd 20th March, 2013 in Case No.08/2013 is enclosed herewith.

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

To,

Shri Prakash Ramchandra Dhote, T.B.Toli, Near Datta Mandir, Gondia

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.Gondia
2. The Executive Engineer,C.C.O&M Dn., MSEDCL, Gondia
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