

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

COMPLAINT NO. 359/2011

Shri Sitaram Waman Shende
At-Antargaon, Post- Girad,
Taluka Samudrapur,
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 Dr. N.N. Behre. .

Respondents represented by 1) Shri S.V.Fadanvis, Asstt.Engineer, Samudrapur.

CORAM:

Shri T. M. Mantri, Chairman.

Shri M. G. Deodhar, Member.

Ms. S. B. Chiwande, Member-Secretary.

ORDER
(Per Chairman Dtd. 26th March, 2012)

The complainant's grievance is that he has submitted application for Ag.Pump connection on 14/12/2006, Demand Note belatedly received on 24/08/2009, amount deposited on 24/08/2009 Rs. 4300/- and Test Report given on 12/11/2009 but nothing was done. Then consumer approached to IGR Cell but to no effect. Hence compel to approach this Forum. It is the complainants case is that though D.P. was installed on 15/05/2011 no electric supply was provided and inspite approached to the authorities nothing was done, hence complaint for seeking Redressal of the grievance.

2. As per the Rules, notice was given to the concerned office of the Distribution Licensee which in terms has filed parawise comments on 02/01/2012 narrating about preparation of the estimate, sanction thereof hence remittance of amount on 24/08/2009 and submission of test report on 12/11/2009. It is alleged that the complainant's name was included in the seniority list. The work has been allotted to M/s Varad Electricals, Pusad for Ag. Connection upto 31/03/2010. The Electrical Inspector has given permission for D.P. functioning on 14/07/2011 but it was found that there was fault in D.P. The said D.P. was replaced and ultimately on 2/12/2011 the electric connection has been provided. It is lastly stated that as there was fault in D.P. the electric connection could not be provided early.

3. Heard Dr. Behre Representative for complainant & Ld. Shri S.V.Fadanvis, Asstt.Engineer on behalf of Distribution Licensee. Except reply no supporting documents came to file on behalf of the Respondent Licensee. Though the complainant has asked for providing of electric supply in the application. However during course of submission it has been pointed out by the Ld. Representative of the Licensee Co. that since 02/12/2011 electric connection has been provided. The Ld. Representative for the complainant has submitted that recently the complainant has not contacted him and in that case the submission of Non-Applicant Licensee needs to be accepted. In view of such basis of record the complainant's grievance for giving delayed Demand Note has to be accepted. Likewise delay in providing electric supply, the reason put forth from the side of the Respondent Licensee are not at all convincing. Though Regulation provides time period for Standard of Performance of various acts to be carried out by the Respondent Licensee and apparently Respondent Licensee has failed in fulfilling the time period provided therein. The Regulation is binding on the Respondent Licensee. Admittedly the Demand Note was issued on 24/08/2009 and on the same date the amount was deposited. The complainant's case of delay in supply of electric connection is not disputed in reply so also in submission. As per the period provided in the Regulation,2005 in Appendix 'A' the maximum period of one year as Transformer was required to be installed. Admittedly there is abnormal delay. The complainant's grievance in that respect seems to be justified from the record and the further submissions it is clear that the work there after allotted to M/s Varad Electricals and though D.P. was installed there was some problem requiring replacement of D.P. As per Respondent Licensee this resulted in delay in supply of energy and ultimately the energy has been supplied on 02/12/2011.

As per Ld. Member Secretary of this Forum the Distribution Licensee has to carry out the work as per seniority list due to huge pendency of Ag. Pump applications. The work involving T/F, HT, LT Line was completed and accordingly commissioned the T/F in July,2011. However due to fault in T/F & as the site condition was not approachable/due to rainy season the said T/F replaced in November,2011 & subsequently the electric supply was released on date. 02.12.2011. There was no intentional delay in giving supply to complainants Ag. Pump connection. So no compensation needs to be awarded.

In any case as already observed above there was failure on the part of Respondent Licensee for giving electric connection. Consequently it is liable for compensation as provided in Appendix-'A' of MERC Supply Code Regulation. The complainant is therefore, entitled for appropriate relief in terms thereof. Hence the Forum proceed to pass the following order per majority.

ORDER

- (1) The Complaint No. CGRF/NZ-R/359/2011 is hereby partly allowed.
- (2) The Respondent Licensee is directed to pay compensation @ Rs.100/- per week for delay in giving supply to the complainant for the period of 55 weeks from the date of his completed application.
- (3) 3 months time is granted for compliance of the order from the date of receipt of the order
- (4) Compliance report be submitted accordingly.
- (5) In the circumstances, 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 (RURAL)</u>		

(Order Per Chairman Dtd.: 26th March, 2012)

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

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440 013

Shri T.M.Mantri
Chairman
(Mb)9673215771

(O) 0712- 2022198

Shri M.G.Deodhar,
Member
(M)9422805325

NO. CGRF/NZ/R/

Date :

**Certified copy of order dtd 26th March,2012 in Case No. 359/2011 is
enclosed herewith.**

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

To,

Shri Sitaram Waman Shende, At Antargaon, Post- Girad,Tq-Samudrapur,Dist. Wardha

Copy S.W.Rs.to :-

1. The Chief Engineer,Nagpur Zone (Rural)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
Ph.No.0712-2022198.

