

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 09/2014

Shri Rambhau Ganpat Upase
At.Kalmana, Po.Kandhali,
Tq.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 1) Dr,N,N,Behare, Authorized representative
Respondents represented by 1) Shri H.M.Patil, Junior Engineer, Samudrapur Sub-Dn.

CORAM:

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

JUDGEMENT

(Delivered on this 15th day of March, 2014)

2. Shri Rambhau Ganpat Upase, r/o Kalmana, Po.Kandhali, Tq.Samudrapur, Dist.Wardha (hereinafter referred to as, the applicant) is an agricultural consumer of the MSEDCL (hereinafter referred to as, the respondent). It is the contention of the applicant that his power supply interrupted w.e.f.19-07-2013. The power supply was not restored within the time limit prescribed under the MERC (standards of performance of distribution licensees, period for giving supply and determination of compensation) Regulations 2005. So he claims compensation. He approached the IGRC Wardha. The IGRC dismissed his application vide order passed under no.SE/Wardh/Tech/220

dated 08-01-2014. He presented the instant application under the provisions contained in Regulation 6.4 of the MERC (CGRF and E.O.) Regulations 2006 on 05-02-2014.

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/Nil dated 21-02-2014. The case was fixed for personal hearing on 10-03-2014. Dr.N.N.Behare, authorized representative was present for the applicant. Shri H. M.Patil, Junior Engineer, Samudrapur, Sub Division represented the respondent. Both the parties were heard.

4. Dr.N.N.Behare argued that due to heavy rain the electricity poles catering supply to the agricultural pump of the applicant collapsed on 19-07-2013. The power supply was discontinued. So he submitted a complaint application to the Junior Engineer, Samudrapur on 20-07-2013. However no cognizance of the complaint application was taken. He again submitted an application on 04-12-2013. The applicant submitted an application on 10-01-2014 and informed that since the power supply was not restored the applicant was approaching the CGRF Nagpur. Thereafter the respondent took action and the power supply resumed on 13-01-2014. The applicant claimed compensation under the provision of fuse of call for the period from 20-07-2013 to 13-01-2014.

5. The respondent rejected the claim of the applicant. Shri H.M.Patil argued that the applicant submitted the complaint on 20-07-2013. The concerned Junior Engineer carried out the spot inspection. It was a rainy season. The land was muddy. So it was not possible to carry out the repairs to the supply line. The situation was beyond the

control of the respondent. So as per the provisions contained in Regulation 11.1 the respondent is exempted from the duty to restore the power supply. It was rainy season. So crops were not in need of irrigation. As such the applicant has not suffered any loss to his crops. It was further submitted that the applicant has not presented the claim of compensation within the prescribed time limit. So his claim is liable to be dismissed.

6. We have perused the record. We have heard the arguments advanced by both the parties carefully. The Xerox copy of the application dated 20-07-2013 is on record. The respondent also admitted that the power supply was disrupted w.e.f.19-07-2013.

There is no cogent evidence on record as to when the power supply was restored. The applicant produced one piece of paper. It is signed by two persons. It is written on the paper that the electricity wires were laid & the power supply was restored on 13-01-2014. However nothing is written on the paper as to who wrote the panchnama or who were the witnesses. As per the respondent the power supply restored on 24-12-2013.

In absence of any cogent & reliable evidence it has become difficult to conclude any way as to when the power supply was restored. So the applicant failed to establish the date of restoration of the power supply.

Secondly, the applicant claimed compensation,

Proviso to Regulation 12.2 of the MERC (standards of performance of distribution licensees, period for giving supply and determination of compensation) Regulations 2005 reads as under,

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 15th March, 2014 in Case No.09 / 2014 is enclosed herewith.

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

To,
Shri Rambhau Ganpat Upase, At.Kalmana, Po.Kandhali,
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