

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

COMPLAINT NO. 383/2012

Shri Gajanan Akaram Chafle,
At -Post -Taluka Samudrapur,
District Wardha.

.. Complainant

.,VS.,

1. Executive Engineer,
MSEDCL, O & M Dn.Hinganghat.

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

Respondents

Applicant's Representative Dr. N.N. Behre.

Respondents Representative : 1) Shri S.V.Fadanvis, Asstt.Engineer, Samudrapur S/Dn.

CORAM:

Shri T. M. Mantri, Chairman.
Shri M. G. Deodhar, Member.
Ms. S. B. Chiwande, Member-Secretary.

ORDER

(Per Chairman Dtd. 30th April, 2012)

1 The complainant has approached the Forum in respect of his grievance for delay in issuing demand note, delay in providing electrical connection and compensation etc. The complainant case in brief is that he has submitted A-1 Form on date.18.01.2012 for agriculture pump connection with Rs.50/-. Application was accepted on 22.2.2010. The demand note was issue late on 15.5.2010 accordingly he has deposited Rs.4300/- in Bank on 17.5.2010. The test report was submitted on 8.7.2010, however, till filing of the present complaint no electric connection has been provided. Though he has approached the IGRC on 29.9.2011 and the matter was heard till date no order has been communicated. The complainant has claimed for compensation on account of delay from the Respondent Licensee for not acting as per Regulations in the time so also claimed Rs.1,00,000/- towards agricultural loss. Reference has been made to the provision of Regulations 2005. Along with complaint copies of the relevant document have been filed.

2. In pursuance to the notice to the Respondent Licensee, appearance has been put in and accordingly parawise comments came to be filed. As far as claim for Rs.1,00,000/- towards agricultural loss, it is stated that no documents in that respect have been filed, including inspection of the Competent Authority and the certificate. It is stated that IGRC Wardha after hearing the parties has issued order dt.20.1.2012 directing Respondent Licensee to take steps for providing electric connection.

3 With regards to submission of application for electric connection it is stated that demand note was prepared on 8.4.2010 and complainant himself received it on 21.4.2010. The date of making payment, giving of test report are admitted and it is stated that low tension line was required to be erected so complainant name was included in the paid pending seniority list of 2010-2011. It is stated that as per instructions of the superior office and availability of funds, electric connection are provided for agriculture. Reference has been made to allotment of contract to M/s Host International, Mumbai on 1.12.2011 alleging that copy of instructions is given to the said contractor is annexed. Further it is stated that work accordingly is in process, such as purchasing of material, obtaining of permission, inspections etc. and in the Sub-division at the some places, poles have been erected. The complainant's name is at sr.no.45 in the seniority list so there is no delay on the part of the concerned office of the Respondent. Therefore complaint needs to be rejected. Copies of the some of the documents have been filed.

4 Heard Dr.Behere learned Representative for complainant and Shri Fadnavis Asstt.Engineer, learned Representative for Respondent Licensee. During the course of submission the learned representative of the Respondent Licensee has submitted that electric connection has been provided to the complainant on 28.2.2012. He has referred to meter installation report with signature of the complainant with date and mobile number. The learned representative for the complainant has pleaded ignorance about the same. However, he is fair enough to submit that when learned Asstt.Engineer is making statement of providing electric connection he could not object it. In view thereof we will deal with other loss and compensation as claimed by the complainant. As far as claim for agricultural loss of Rs.1,00,000/- there is no evidence brought on record. There is nothing in support of such claim. There is grave doubt as to whether such claim can be entertained. For all these reasons it has to be turned down.

5 Now the claim for compensation in view of delay caused by Distribution Licensee, needs to be considered. Admittedly application was submitted on 12.1.2010, and according to the complainant demand note was received on 15.5.2010, accordingly deposited amount on 17.5.2010. Though it has been stated in reply that demand note was given on 21.4.2010 after preparing it on 8.4.2010, however no document has been produced on record. Admittedly such documentary evidence must be available with the office of the Respondent Licensee. For non production of such vital documents, the submission of complainant has to be accepted.

6 The Complainant's representative has pointed out that he has filed Annexure "A" SOP Regulations 2005 wherein the time period as well as amount of compensation upon failure to perform the standard of performance by the Distribution Licensee has been prescribed by the Hon'ble Commission. Admittedly these Regulations and direction therein are binding on Respondent Licensee. As per the same. There is no justification given from the side of the Respondent Licensee. Appendix "A" sr.no.3, period for providing electric connection with compensation upon failure to fulfill the standard of performance is also provided. The amount, complainant has admittedly deposited on 17.5.2010 and admittedly test report on 8.7.2010. Even according to the Respondent Licensee connection has been given recently on 28.2.2012 so apparently there is delay in providing of electric connection as per standard of performance fixed by the Hon'ble Commission under the SOP Regulations 2005 referred to above. Consequently the Respondent Licensee is responsible for compensation for such delay at the rate prescribed in Appendix "A" of SOP Regulations 2005. So there is delay of about 16 months for providing electric connection.

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 30th April,2012 in Case No. 383/2012 is enclosed herewith.

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

To.

Shri Gajanan Akaramji Chafle, At Post 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.

