

**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)**

**COMPLAINT NO. 348/2011**

Shri Vasudev Shivram Belekar,  
At Shegaon, Post Nandori,  
Tahsil 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 Mr. B.V.Betal. .

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. 16<sup>th</sup> January, 2012)**

The complainant has submitted application for 3 H.P. Ag.Pump Connection on 07/09/2009, Demand Note was issued to him on 21/12/2009, amount deposited on 22/12/2009, Test Report given on 27/12/2009. According to complainant though he has approached for electric connection time and again he

was neglected by the then Asstt. Engineer The complainant thereafter met the new Asstt. Engineer. Nine poles erected in June,2011 but thereafter nothing has been done and electric connection has not been supplied. On the contrary the complainant has asked to approach where he desires. Thereafter the complainant is approaching the Forum for Redressal of his grievances. Prior to that he has approached to I.G.R.Cell, Wardha on 04/07/2011 but to no effect. In spite of hearing undertaken on 12/09/2011 but no order has been passed therein. The complainant has asked for early electric connection so also claimed compensation of Rs. 7,00,000/- for the losses of agriculture income, Rs. 15000/- towards mental harassment and Rs.3000/- towards traveling expenses with other relief.

2. As per the Rules, notice was given to the Respondent Licensee for submitting parawise comments so also documents. On 13.10.2011, accordingly the reply came to be filed on behalf of the Respondent Licensee stating that providing 3 H.P. Connection to the complainant it was necessary to install one T/F with H.T. & L.T. Lines, accordingly Demand Note was issued on 21/12/2009. Claim for compensation ought to have been made within 60 days but it was not so done by the complainant. Reference has been made to complaint dated 26/09/2011, therefore, he has not entitled for any relief. It is further stated that the complainant has deposited amount on 22/12/2009 and submitted test report on 13/01/2010. According to the seniority list the electrical supply will be made by erecting LT Lines. Further it is stated that work was allotted to M/s Varad Electrical, Contractor for electric connection upto 31/03/2010. Nine poles was erected out of which one was broken down. Because of rain and crops in the field work could not be completed. The Contractor has been asked to complete the work as per availability of material and as per seniority list the connection would be made available to the complainant, there is no intentional delay and hence the complainant did not entitled for any relief and pressed for dismissal of the complaint.

3. Heard both parties, complainant with his representative Shri Betal & Respondent Licensee with his representative Shri S.V.Fadanvis, Asstt.Engineer.

Certain documents came to be produced at the time of argument and thereafter which have been duly considered. In the written note of argument filed by the complainant and then chance was accorded to the Respondent Licensee it preferred to make oral submissions only.

4. Upon considering the available material on record there is no dispute as far as submission of application for connection by the complainant, depositing of amount as per Demand Note. According to complainant Test Report was submitted on 27/12/2009, whereas the documents filed by Respondent Licensee clearly shows that the Test Report is dated 12/01/2010 and received in the office on 13/01/2010. It is also no in dispute that some work was started such as erection of poles but thereafter nothing was done. During course of arguments the Ld. Asstt. Engineer Mr. S.V. Fadanvis on behalf of the Respondent Licensee has submitted that earlier Contractor could not completed work and hence work has been allotted to new Contractor and as per his statement by end of Dec.2011 or early Jan.,2012 the connection would be made. The defence of the Respondent Licensee in the written statement in respect of availability of material and giving connection as per seniority list but no relevant documents in that respect filed on record. On the contrary the representative of the complainant has filed pages of the list of the consumers to whom connection have been given and according to him some of the consumers who have made payment subsequent to the complainant have been given connection from the nearby locality by quoting instances of consumers of village Razzakpur. There was no reply to this from the side of Respondent Licensee. As per SOP Supply Regulations, 2005 if the connection by way of existing 3 months time is provided as per M.E.R.C. SOP Supply Regulations, 2005. As already observed above no cogent material has been brought on record from the side of the Respondent Licensee to substantiate its defence. Copy of order of I.G.R.Cell dtd. 21/10/2011 is filed on record. It was passed during pendency of the present complaint. Even in the said order directions has been given to provide electric connection at the earliest and submit report. Sufficient time has been passed thereafter also. In any case provisions

under MERC Regulation have not followed by the Respondent Licensee by not providing supply within the period of 3 months. The complainant is therefore entitle for appropriate relief.

5. According to the Ld. Member Secretary of this Forum the work of giving supply to the complainant involved installation of distribution transformer. The time period of giving supply in such cases is one year from the date of receipt of completed application as stipulated in the Regulation. The complainant's cause of grievance about payment of compensation for delay in giving supply arose only when supply was given to him. In this case the supply is not yet given. The complainant's prayer for compensation for delay in giving supply appears premature in view of the orders passed by the Hon'ble Electricity Ombudsman, Mumbai in representation No. 32/2010 & 34/2010. Hence the complainant is not entitled for compensation.

6. As already observed above there is non compliance of the provisions on behalf of Respondent Licensee resultantly following order needs to be passed by majority, hence order.

### **ORDER**

- (1) The Complaint No. CGRF/NZ-R/348/2011 is hereby partly allowed.
- (2) The Respondent Licensee is directed to provide electric connection to the complainant immediately.
- (3) Respondent Licensee is also liable to pay compensation of Rs. 100/- per week as per SOP Supply Regulations, from 15.4.2010 to till the electric connection is supplied.
- (4) Rest of the claims of the complainant is rejected.
- (5) In the circumstances, parties to bear their own cost.
- (6) Compliance report be submitted in time

Sd/  
**MEMBER**

Sd/-  
**MEMBER SECRETARY**

Sd/-  
**CHAIRMAN**

**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)**  
**(Order Per Chairman Dtd.: 16<sup>th</sup> January, 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 16<sup>th</sup> January,2012 in Case No.  
 348/2011 is enclosed herewith.**

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

To,

Shri Vasudev Shivram Belekar, At-Shegaon Post-Nandori,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.

