

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 13/2014

Smt. Hirabai Dhanraj Chopde
At.Ekamba Po.Pardi
Tq.Karanja
District - Wardha.

Complainant

,,VS.,

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

Respondents

Applicant represented by 1) Shri Rameshwar Dhanraj Chopde,
Respondents represented by 1) Shri S.M.Wankhade, Assistant Engineer, Karanja

CORAM:

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

JUDGEMENT

(Delivered on this 16th day of April, 2014)

2. Smt. Hirabai Dhanraj Chopde presented this application on 06-03-2014. It is the contention of the applicant that the MSEDCL failed to release the connection within the prescribed time limit. So the compensation may be awarded to her. So also the MSEDCL may be directed to release the connection immediately.

The case was fixed for personal hearing on 15-04-2014. Both the parties were heard.

3. Shri Rameshwar Chopde, the son, of the applicant was present. He argued that the applicant submitted the application for new connection on 25-11-2009. She

deposited Rs.50/- on 26-11-2009 towards the processing fee. She was given a demand note on 18-09-2013. She deposited Rs.5200/- on 18-09-2013. She submitted the test report on 10-08-2013. In spite of the fact that her application is completed in all respect the MSEDCL has not released the connection till now.

The applicant requested that the MSEDCL failed to issue the demand note within the prescribed time limit. So the compensation may be awarded to her. Secondly, the MSEDCL may be directed to issue the connection immediately.

4. Shri S.M.Wankhade, Assistant Engineer, Karanja was present for the respondent. He referred to the written reply dated 21-03-2014. It was further stated that the applicant presented the application for new connection on 25-11-2009. However thereafter she never approached the respondent. The receipt of the amount deposited by the applicant towards the processing fee was not attached with the application. So the application was not processed further. The applicant approached the respondent in September 2013. The office scrutinized the old record. It was noticed that the applicant deposited the processing fee on 26-11-2009. So a demand note was issued to the applicant. Now she deposited the amount as per the demand note. She also submitted the test report. Her name is entered in the paid pending list. She will be given the connection as per the seniority.

5. The technical member of the Forum submitted a note as under,

I have gone through the documents on record & submissions made by both the parties, it is not disputed that the complainant has completed all the formalities for getting electric connection to his Ag pump. However supply of electricity to agricultural

pumps is carried out under various schemes such as SPA –PE ,DPDC, etc . At present, there appears to be huge pendency of agricultural pump applications in Arvi Division under SPA scheme ,hence the work of laying HT/LT lines & T/F for supplying connection is entrusted to the agency & is being carried out as per the seniority of the applications/applicants who have deposited the demand amount & completed the formalities in all respect.

In view of above, we can not held the respondent responsible for the delay for providing electric connection to the complainant's agricultural pump. The respondent shall provide the connection to the complainant's Ag pump as per the seniority list, otherwise it will cause great injustice on the part of other applicants who have paid the demand prior to the complainant.

Moreover the complainant's cause of grievance about payment of compensation for delay in giving supply will arise only when supply is given to him. In this case the supply is not yet given. The complainant's prayer for compensation for delay in giving supply is premature, in view of the order passed by Hon'ble Electricity Ombudsman, Mumbai in representation No. 32/2010 & other representations were similar issues are being involved.

In view of above I am of the opinion that the respondent is not responsible for delay in giving supply & any losses caused to the complainant. Hence in my opinion the complainant is not entitled for compensation.

6. We have perused the record. We have heard the arguments advanced by both the parties carefully.

The applicant's first grievance is that, inspite of the fact that her application is completed in all respect the connection is not released to her.

Regulation 4.5 prescribe the time limit for release of connection, it reads as under,

4.5 Where the supply of electricity to a premises require extension or augmentation of distributing mains, the distribution licensee shall give supply to such premises within three months from the date of receipt of complete application in accordance with the MERC (Electricity supply code and other conditions of supply,) Regulations, 2005.

In the instant case the applicant presented the application in 2009. However she deposited the amount as per demand note on 18-09-2013. So her application was complete on 18-09-2013.

In view of the aforesaid provision she was entitle for connection on or before 18-12-2013. She has not given the connection till now. So she is entitle for compensation w.e.f. 19-12-2013 till the date she is given the connection.

The applicant also stated that the MSEDCL issued a demand note after period of about 4 years. However there is no convincing justification from the applicant as to why she kept to mum for 4 years. So we are not inclined to grant any compensation on this count.

The applicant also requested to grant her the connection immediately. However we think the policy of the respondent to release the connections as per the paid pending list is just and proper.

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

ORDER

- i) Application No.13 of 2014 is partly allowed.
- ii) The respondent shall pay compensation @ Rs.100/- per week from 19-12-2013 to 16-04-2014 within a period of 90 days.
- iii) The respondent shall pay the remaining amount as soon as the connection is released to the applicant.
- iv) No order as to cost.

Sd/-
(Adv.Gauri D.Chandrayan)
MEMBER

Sd/-
(Ms.S.B.Chiwande)
MEMBER SECRETARY

Sd/-
(Vishnu S. Bute)
CHAIRMAN

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR
(Nagpur Dtd.16th day of April, 2014)

CONSUMER GRIEVANCE REDRESSAL FORUM
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(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 16th April, 2014 in Case No.13 / 2014 is enclosed herewith.

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

To,
Smt. Hirabai Dhanraj Chopde At.Ekamba Po.Pardi Tq.Karanja 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. Executive Engineer,C.C.O&M Dn., MSEDCL, Arvi.
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