

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 9 /2015

Shri Shankar Bhaurao Timase
At.Inzala, Po.Dhotra
Tq.Hinganghat
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) Shri B.V.Betal, Authorized representative
Respondents represented by 1) Shri M.S.Vaidya, Executive Engineer Hinganghat
 2) Shri A.V.Tupkar, Dy.Executive Engineer H"ghat(R)

CORAM:

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

JUDGEMENT

(Delivered on this 23rd day of February, 2015)

2. Shri Shankar Bhaurao Timase, r/o Inzala, Po.Dhotra, Tq.Hinganghat Dist.Wardha had applied to the Distribution Licensee MSEDCL for new connection to agricultural pump set (for the sake of convenience, the parties are being referred to as the applicant and the respondent.). According to the applicant, the respondent had not issued the demand note within the period prescribed under the MERC (standards of performance of Distribution Licensees, period for giving supply and determination of compensation) Regulations, 2014. So he is entitle for compensation. The applicant approached IGRC Wardha. Feeling aggrieved by the order passed by IGRC Wardha

under no.SE/Wardha/Tech/IGRC/7118 dated 31-12-2014, the applicant presented the instant application under Regulation 6.4 of the MERC (CGRF and E.O.) Regulations 2006 on 15-01-2015.

3. The respondent submitted reply to the application under no.EE/O&M/H'ghat/Tech/781 dated 10-02-2015. The case was fixed for personal hearing on 23-02-2015. Both the parties were represented through their authorized representatives. Both the parties were heard.

4. It was contended on behalf of the applicant that the applicant submitted an application for connection to an agricultural pump on 26-02-2013. He got the demand note on 21-11-2014. The demand note was not issued within the prescribed time. So as soon as he got the demand note he made the compliance of Regulation 12.2 on 26-12-2014. Since the demand note was not issued within the prescribed time limit the applicant may be awarded the compensation.

Thereafter the applicant deposited the amount on 15-12-2014. He admitted that the test report is not submitted till today. The respondent may be directed to release the connection as soon as he submits the test report. The respondent may be directed to initiate the penal action against the officer who failed to issue the demand note within the prescribed time limit.

5. The respondent opposed the claim of the applicant. The respondent stated that the complaint before IGRC was about non receipt of demand note only. His prayer was not about the release of the connection. Since the applicant did not submit any claim about the release of connection before the IGRC, he can not be given any relief on this

count. The applicant did not submit the test report till today.

The claim of the applicant is excessive. The application has no force. It may be dismissed.

6. After hearing the concerned parties and upon perusal of the record it reveal that the applicant submitted an application in A 1 form on 27-02-2013. The respondent also admitted this position. As per the applicant he received the demand note on 21-11-2014. The respondent also admitted the aforesaid date. Regulation 4.5 prescribe the time limit for giving intimation to the applicant about the charges to be borne by him. Regulation 4.5 is reproduced below for ready reference,

4.5 Where the supply of electricity to an applicant requires extension or augmentation of distributing mains, the Distributing Licensee shall intimate the charges to be borne by such applicant within thirty (30) days from the date of submission of such application, regardless of whether such application is deemed to be complete under Regulation 4.2.

In the instant case the respondent stated to provide supply to the applicant, laying of 0.18 k.m. L.T.line is necessary. So it is seen that the extension to the existing network is necessary. The applicant produced the xerox copy of his application for compensation dated 26-12-2014. So there is a compliance of the provisions of Regulation 12.2.

In view of the aforesaid position it was necessary for the respondent to issue a demand note to the applicant within a period of thirty days from 27-02-2013 i.e. on or before 28-03-2013. The applicant received the demand note on 21-11-2014. So he is

entitle for compensation as provided under Regulation 12 and appendix A item 1 (ii) (b).

The IGRC in the order dated 31-12-2014 stated as follows,

“ I nj ckrhr dfu'B vflk; rk vYyhi j forj.k dsz; lpsj S.O.P. fu; eki zk.ks dk; Zkgh d#u rI k vgoky ;k dk; k; kl Rojhr i k Bokok” The IGRC referred to the SOP Regulations however it has not clearly awarded the compensation to the applicant. So the order needs to be corrected to that extent.

7. Other claims of the applicant are not cogent correct and legal. So we are not inclined to accept them.

8. In view of the position discussed above, we pass the following order,

ORDER

- i) Grievance application no.9 of 2015 is partly allowed. The applicant is entitle for compensation @ Rs.100/- per week for the period from 29-03-2013 to 21-11-2014. The payment shall be made within ninety days from the date of receipt of this order.
- ii) No order as to costs.

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| <p>Sd/- (Adv.Gauri D.Chandrayan) <u>MEMBER</u></p> | <p>sd/- (Ms.S.B.Chiwande) <u>MEMBER SECRETARY</u></p> | <p>sd/- (Vishnu S. Bute) <u>CHAIRMAN</u></p> |
| <p><u>CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR</u></p> | | |
| <p><u>(Nagpur Dtd.23rd day of February, 2015)</u></p> | | |

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.
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Email.id- cgrfnz@mahadiscom.in
cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 23rd February, 2015 in Case No.9 / 2015 is enclosed herewith.

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

To,
Shri Shankar Bhaurao Timase, At.Inzala, Po.Dhotra.,
Tq.Hinganghat, 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, 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