

CONSUMER GRIEVANCE REDRESSAL FORUM

NAGPUR ZONE (RURAL) M. S. E. D. C. L.

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,

NAGPUR – 440 013

SHRI V.R.Khobragade,IAS(Retd)
Chairman

PH.(R)2457651(M)9923136412 (O) 0712- 2022198

Shri M.G.Deodhar,
Member

(M)9422805325

NO. CGRF/NZ/R/

Date :

Certified copy of order dtd 2nd March,2009 in Case No. 59/2009 is enclosed herewith.

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

Copy to:-

1. Shri Chandrabhan Bhojaji Kadwe, At & Post- Saoli(khurd), Tah-Karanja(Ghadge)
Dist-Wardha.
2. The Chief Engineer,Nagpur Zone (Rural)MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.
3. The Exe.Engineer/N.O., O&M Circle Office, MSEDCL.Wardha, --
4. The E.E.,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,**

Maharashtra Electricity Regulatory Commission,
606-608, Keshava Building,
Bandra-Kurla complex,
MUMBAI- 400 051

TEL.- 022 - 26592965 (Direct)
022 - 26590339 (Office)

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM
M. S. ELECTRICITY DISTRIBUTION CO.LTD.**

(NAGPUR ZONE – RURAL) NAGPUR.

Application/Case No. CGRF/NZ/Rural/ **59** of 2009

Applicant : Shri Chandrabhan Bhojaji Kadwe, At & Post- Saoli(khurd),
Tah-Karanja(Ghadge), Dist-Wardha.

-- VS --

Non-applicant : 1.Executive Engineer/Nodal Officer, I.G.R.C,
Circle Office,M.S.E.D.C.L., Wardha.
2.Executive Engineer,C.C.O&M Dn., M.S.E.D.C.L., Arvi.

Present : 1.Shri V.R.Khobragade,Chairman
2.Shri M.G.Deodhar,Member
3.Shri S. A.Harpale,Member/Secy.

Appearance. : 1. Shri Nagorao Dewase,
Representative of Applicant present.

1. Shri M.B.Dhabarde,AE.
For Non-Applicants.

ORDER

(Passed this 2nd day of March,,2009)
(Per Shri V.R. Khobragade, CHAIRMAN)

1. Being aggrieved with an ex-parte order passed by I.G.R.C., Wardha the representative of Applicant made an application to this Forum on 12/1/2009..
2. After receipt of his application, the Forum issued acknowledgement to Applicant, called parawise comments of the non-applicants(hereinafter called 'DL'/'NA'), a copy of the parawise comments was sent to the Applicant, issued notices to both the parties, finally heard both the parties on 12/2/2009. Forum thus, offered a fair, reasonable and adequate opportunity to both the parties for submission of their say in the matter.
3. The brief history of the matter is that one Shri C.B.Kadwe, R/O. Saoli(khurd) (hereinafter referred to 'Applicant') has filed grievance application in schedule form 'A' as per MERC (CGRF&EO) Regulations,2006 (hereinafter called the

'Regulations') on 13/1/2009. His grievance is for delay for power connection to agricultural pump by Company despite of completion of all formalities e.g. payment of D.N. and submission of Test Report.

4. On the date of hearing both the parties were present and they were heard carefully. Shri Kadwe, the Applicant was represented through Shri Nagorao Dewase. The representative requested for compensation on the issues as mentioned in the application filed before the Forum. He also further requested to refund an excessive amount paid towards demand note.
5. Shri M.B.Dhabarde, A.E. represented the case for company. He reiterated the same points as mentioned in the parwise comments submitted to the Forum. He pointed out that installation of transformer was required and, therefore, delay in connecting power supply is caused. Lastly he requested to maintain the order passed by the I.G.R.C., Wardha and promised to provide electric supply to agricultural pump by the end of March, 2009.
6. Forum has gone through the record. As regards submission of application to D.L., Karanja stands no dispute. It is observed that J.E. Karanja delayed the matter for spot inspection and submitted application to A.E. on 1/2/2008. As per S.O.P.Regulations, 2005 Appendix 'A' of 4.3, period of 10 days is admissible for spot inspection in rural area. In this case J.E. concerned has availed of more than 16 weeks. Thus there is a delay of 16 weeks on the part of J.E., Karanja. J.E. concerned shall compensate of Rs. 100 x 16 = Rs.1600 to the Applicant. It is further seen that on receipt of spot inspection note on 1/2/2008, A.E. Karanja sent Demand Note to the Applicant on 8/2/2008 and it was complied with by the Applicant on 12/2/2008. There was no delay on part of A.E. Considering requirement of installation of transformer, the A.E. Karanja submitted proposal to the E.E., Arvi on 26/10/2006 and E.E., Arvi has accorded sanction to the proposal. Thus E.E. has delayed for 5 weeks for approval of installation of transformer and, therefore, E.E., Arvi shall pay

compensation of Rs. 500/- to the Applicant. Applicant has paid towards demand note on 12/2/2008 and furnished Test Report to A.E. on 13/2/2008. From 14/2/2008 till coming to Forum no electric supply to Ag. pump was given and no installation of transformer has been completed so far. As regards installation of transformer is governed with the provision of Rule 5.9 of Supply Code. The said rule 5.9 of supply code permits period of 3 months. In this case, excluding period of 3 months, there is a delay of 28 weeks for installation of transformer and therefore concerned officials shall pay compensation of Rs. 2800/- to the Applicant. Forum do not agree with the contention that company has no reason to pay for delay occurred on part of T.K.C. The Applicant has applied to the company, paid all admissible amount to the company and he has been no party to Turn Key Contract. It is an arrangement held between company and Turn Key Contract and, therefore, submission of the company that supply of power connection is no more responsibility of D.L. has no force. Compensation for 12/1/2009 to 12/3/2009 shall also be paid to the Applicant by the official concerned and company further pay compensation to Applicant till power connection is given..

7. As regards refund of an excessive amount towards demand note, Forum direct to company to refund an amount of Rs. 1200/- as per instructions issued by H.O. vide its circular No. 43 dated 26/9/2006.
8. With the above observations, the Forum unanimously pass the following order.

-: ORDER :-

1. The order passed by I.G.R.C., Wardha is set aside.
2. Claim for compensation of Rs. 1600/- shall be recovered from concerned JE Karanja and Rs. 500/- from E.E., Arvi shall be paid to the Applicant.
3. Claim for compensation of Rs. 2800/- shall be recovered from concerned officials and to be paid to the Applicant.

4. Applicant is entitled to get compensation till power connection is supplied to Agricultural pump.
5. Rs. 1200/- shall be refunded to Applicant as an excess amount recovered for D.N.
6. Chairman, IGRC is directed to submit compliance report within 3 months from the receipt of copy of order of Forum.
7. Parties to bear their own cost.
8. Parties be informed accordingly.

SD/ILLEGIBLE
(V.R.KHOBRADE)
CHAIRMAN

SD/ILLEGIBLE
(M.G.DEODHAR)
MEMBER

SD/ILLEGIBLE
(S.A.HARPALE)
MEMBER/SECY

CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.L.(NAGPUR ZONE – RURAL)NAGPUR

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