

connection was not released and the power supply was not given, the respondent started issuing the bills to the applicant. The applicant claimed compensation under the SOP. He also requested to set aside the bills. He approached the IGRC Wardha. The IGRC passed an order under no.SE/Wardha/Tech/IGRC/5912 dated 19-10-2013. Feeling aggrieved by this order the applicant presented the instant application under the provisions contained in Regulation 6.4 of the MERC (CGRF and E.O.) Regulations 2006.

3. A copy of the application was given to the respondent. The respondent submitted reply under no.EE/O&M/H'ghat/Tech/6538 dated 13-12-2013. The case was fixed for personal hearing on 06-01-2014. Dr.N.N.Behare an authorized representative, argued the case for applicant. Shri M.S.Vaidya, Executive Engineer, Hinganghat and Shri G.H.Bhagwat, Assistant Engineer, Samudrapur represented the respondent. Both the parties were heard.

4. It was contended on behalf of the applicant that he submitted an application for connection to his agricultural pump on 18-12-2009. He received demand note on 27-04-10. He deposited the amount as per demand on 31-05-2010. He submitted the test report on 21-10-2010. The respondent started sending the electricity bills to the applicant from 09-06-2012. However neither the connection was released nor the power supply started from 09-06-2012. Actually the applicant got the power supply on 09-12-2013. The meter given to the applicant was off KAIFA company bearing no.5456798. The meter reading was 001. The applicant produced the copy of the certificate given by the employee of the respondent.

The applicant requested to award him the compensation as per SOP Regulation. He also requested to quash and set aside the bills for the period from 09-06-2012 to 09-12-2013.

5. Shri Bhagwat replied for the respondent. He referred to the parawise reply dated 13-12-2013. It was further stated that the applicant submitted application on 18-12-2009. A demand note was issued on 27-04-2010. The applicant deposited the amount on 31-05-2010 and he submitted the test report on 21-10-2010.

It was further stated that to provide the connection to the applicant it was necessary to lay L.T. line admeasuring 0.18 k.m. His name was entered in the paid pending list in the year 2010-11. The work of erection of the supply line was given to the contractor M/s.Host Enterprises, Mumbai, by name. The junior Engineer Girad reported that the contractor gave a connection to the applicant on 09-06-2012. So the information to that effect was fed in the computer and the bills for the period from 09-06-2012 were generated. On receipt of the complaint from the applicant it was noticed that the power supply was not released. The power supply was given on 09-12-2013 so the electricity bills are being corrected accordingly

6. 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's application was complete in all respect on 21.10.2010, the day on which the test report had been submitted by him to the respondent's office. However the supply of electricity to the agricultural pumps is carried out under various schemes such as SPA –PE ,DPDC, Non DDF CCRF etc The

complainant's Ag pump application was sanctioned under SPA scheme As there was huge pendency of agricultural pump applications in Hinganghat Division under SPA scheme ,hence the work of laying HT/LT lines & T/F for supplying connections was entrusted to the agency & being carried out as per the seniority of the applications/applicants who deposited the demand amount & completed the formalities in all respect. Accordingly the concerned agency carried out the work & informed the respondent about completion of line work in respect of complainant's Ag pump. The record shows that the concerned Junior Engineer without verifying whether the connection was physically provided to the complainant's Ag pump declared that the connection was released on 09.06.2012 .After that the complainant started receiving electricity bills of his Ag pump.

However the complainant has first time brought to the notice of the respondent that he started receiving bills even though his Ag pump did not provide with electricity by filing complaint to IGRC on 10.09.2013 with prayer that the bills issued to be quashed & release of connection to his Ag pump immediately. It is only after that ,the respondent inspected the spot & after verifying released the connection on 09.12.2013. It is clear from available records that the line was ready but due to wrong reporting about release of connection, there was delay in providing connection to the complainant's Ag pump. It is not known as to why the complainant has waited for more than about one year to file the complaint. Had he informed to the respondent as soon as he got the first energy bill without being physically connected, the respondent could have taken action for providing electricity to his Ag pump immediately .

In view of circumstances mentioned above in my opinion there observed delay on the part of respondent as well as the complainant . The respondent has provided the connection to the complainant's Ag pump on 09.12.2013 .The respondent already agreed to cancel all the bills issued wrongly to the complainant. As the connection is already given to the complainant's agricultural pump, no compensation needs to be awarded.

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

It is admitted position that the applicant submitted the application in the prescribed form. He deposited the amount as per rule. He submitted the test report. His name is also entered in the paid pending list prepared by the respondent. So it is clear that the application submitted by the applicant is complete in all respect.

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.

After hearing the parties and upon perusal of the record it reveal that the applicant had submitted the complete application. So he was entitle for connection

within a period of three months from 21-10-2010. The respondents have not released the connection till today. So he is entitle for compensation as provided under Regulation 12 and appendix A item1 (iii) attached the said Regulations.

8. The applicant produced the copy of certificate issued by the employee of respondent that the power supply was physically released on 09-12-2013. The respondent also admitted the position, naturally the electricity bills given to the applicant for the period from 09-06-2012 to 09-12-2013 are illegal and void.

9. In view of the position discussed above, we pass the following order, by majority,

ORDER

- i) Application No.106 of 2013 is partly allowed. The applicant is entitle for compensation from 22-01-2011 to 09-12-2013.
- ii) The respondent MSEDCL is directed to pay the compensation @ Rs.100/- per week from 22-01-2011 to 09-12-2013. The payment shall be made within 90 days from the date of receipt of this order.
- iii) The electricity bills given to the applicant for the period 09-06-2012 to 09-12-2013 are here by quashed & set aside. .
- iv) No order as to cost.

<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.13th day of January, 2014)</u></p>		

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

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(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 13th January, 2014 in Case No.106 / 2013 is enclosed herewith.

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

To,
Shri Rama Zamaji Ade, At.Shirpur, Po.Girad, Tq.Samudrapur, 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. 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
0712-2596670