

**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

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NO. CGRF/NZ/R/

Date :

**Certified copy of order dtd 2<sup>nd</sup> March,2009 in Case No. 60/2009 is enclosed herewith.**

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

Copy to:-

1. Shri Shankarrao Vitthalrao Munne, 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/ **60** of 2009

Applicant : Shri Shankarrao Vitthalrao Munne, 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 2<sup>nd</sup> day of March,2009)  
( Per Shri V.R. Khobragade, CHAIRMAN)

1. Being aggrieved with ex-parte order (Record page 4 & 5) passed by I.G.R.C., Wardha the Applicant made an application to this Forum and requested to set aside the order passed by I.G.R.C., Wardha and award admissible compensation as per Regulations in force.
2. After receipt of his application, the Forum issued acknowledgement to Applicant, called parawise comments of the non-applicants, a copy of the parawise comments was sent to the Applicant, issued notices to both the parties and 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 S.V.Munne 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 regarding not providing electrical connection to agricultural pump by M.S.E.D.C.L. (hereinafter called 'DL OR NA') at village Saoli(Khurd) Taluka-Karanja(Ghadge), District-Wardha despite completion of all formalities i.e. payment, submission of test report.

4. On the date of hearing both the parties were heard. The say of the Applicant is that Applicant applied on 25/8/2008 for power supply to his agricultural pump. In response to demand note, he credited an amount of Rs. 5501/- on 12/4/2008 and also produced testing report on 15/4/2008. It is Applicant's contention that company demanded excessive amount towards demand note in contravention of the instructions contained in Circular No. 43 date. 27/9/2006 issued by H.O. of the company. Lastly, the Applicant requested to direct the company to supply power connection to agricultural pump immediately and to refund excessive amount paid towards Demand Note and also to award compensation for delay to power supply. The A.E., Karanja on behalf of the NAs contended that the parawise comments submitted to Forum be considered and the order passed by I.G.R.C., Wardha be confirmed and promised to connect electric power by the end of March, 2009.
5. On going through the records, the following facts reveal that the Applicant made an application to the company on 25/8/2007 and the said application was forwarded to J.E. concerned on 26/8/2007 for spot inspection. The J.E. has conducted spot inspection on 28/2/2008 and submitted his report to A.E. on the same date. It is thus clear that the J.E. has delayed the matter for 23 weeks at his end. J.E. concerned is, therefore, found liable to pay compensation of Rs. 2300/- (Rs.100x23= Rs.2300) to the Applicant in compliance of Regulation of 4.3 of S.O.P.,2005. There finds no delay in issuance of D.N. by the A.E., Karanja. The Applicant has paid towards D.N. on 12/4/2008 and also produced test report to company on 14/2/2008. It would be seen from the parawise comments and other documents produced by the NA that

there has been no necessity for either construction of sub/station or installation of transformer and, therefore, Applicant is liable to award compensation as per Regulation 4.1 of S.O.P. During the course of hearing, it was contended by the NA that this work has been entrusted on turn key contract and the company has no concern with power connection to agricultural pump. To examine the contention put forth by A.E., there is no record to show on what terms and conditions the said T.K.C. was accorded for execution. The Applicant made an application to the company, paid amount towards D.N. to company, the Applicant has not been a party to Turn Key contract and, therefore, Forum does not agree with the arguments advanced by the company. In the instant matter, there is a delay of 30 weeks till date of application to Forum (excluding admissible period for a month ) and therefore compensation comes to Rs. 3000/- shall be paid to the Applicant. It has been observed by Forum that application filed on 12/10/2008 by the Applicant was badly delayed for hearing and an ex-parte order was passed by the cell without offering reasonable and proper opportunity to the Applicant. This approach of cell, Wardha is viewed seriously by Forum and directs the cell to be careful while dealing the matters henceforth.

6. In view of the judgement delivered by the Hon'ble Supreme Court in Civil application No.7633 of 2002 in Gazhiabad Development Authority -vs- Balbir Singh, Forum is of the opinion that an amount of Rs. 3000/- is to be paid to the Applicant by the concerned official of the company.
7. It is further noticed that no connection has been provided till 12/2/2009 and, therefore, Applicant is entitled to get compensation of Rs. 100/- per week till connection of power to agricultural pump. As regards an excessive amount credited towards D.N. an amount of Rs. 1200/- is refundable to the Applicant in view of the instructions contained in circular No. 43 date. 26/9/2006.
8. With the above observations, the Forum unanimously pass the following order.

**-: ORDER :-**

1. The application is allowed and the order passed by I.G.R.C., Wardha is set aside.
2. Claim for compensation of Rs. 2300/- shall be recovered from concerned J.E., Karanja and paid to Applicant.
3. Compensation of Rs. 3000/- shall be recovered from concerned officials.
4. Company to supply power connection as early as possible.
5. Parties to bear their own cost.

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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