



However he has not received the order till today. The applicant presented the instant application under the provisions contained in Regulation 6.4 of the MERC (CGRF and E.O.) Regulations 2006 on 24-03-2014.

3. A copy of the application was given to the respondent. The respondent was directed to submit parawise reply. The respondent submitted reply under no.EE/O&M /H'ghat/Tech/1361 dated 09-04-2014. The case was fixed for personal hearing on 05-05-2014. Shri B.V.Betal, authorized representative was present for the applicant. Shri M.S.Vaidya, Executive Engineer, Hinganghat & Shri V.M.Hedao, Assistant Engineer, Hinganghat (Rural), 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 06-11-2012. He received demand note on 31-01-2013. He deposited the amount as per demand on 18-02-2013. He submitted the test report on 22-02-2013. In spite of the fact that the application was complete in all respect the respondent has not released the connection within the prescribed time limit. The supply to the Ag. Pump was released on 03-02-2014. So he is entitle for compensation as provided under the SOP Regulations.

The applicant's prayer was as under,

i) The applicant may be awarded compensation as provided under SOP Regulations. The applicant may be awarded compensation of Rs.1.5 Lakhs towards the loss to his agricultural produce, Rs.50,000/- each may be awarded for physical and mental harassment, Rs.5,000/- each may be awarded for travel expenses & the cost of the instant proceeding.

5. Shri Hedao, Assistant Engineer, referred to the parawise reply dated 09-04-2014. It was further stated that the applicant submitted the application on 06-11-2012. A demand note was issued on 31-01-2013. The applicant deposited the amount on 18-02-2013. He submitted the test report on 22-02-2013. The connection to the applicant is given from already existing supply line of one Shri Narendra Vinayak Raut. However the supply line of Shri Narendra Raut was damaged due to natural calamity. The line was restored and the power supply to the applicant was given on 01-02-2014. His name was entered in the paid pending list of year 2012-13. The applicant has not submitted any survey report of any competent authority. His prayer is not acceptable. The connections to the agricultural pumps are released as per the orders from the higher authorities and availability of funds under SPA scheme. So the application may be dismissed.

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 22.02.2013, 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 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. In this case only service connection was required to the complainant's Ag pump to get it electrified. However the poles & electric line in the field of Shri. Narendra Raut from where the supply was to be given to the complainant's Ag pump were broken due to storm & heavy rain. The respondent couldn't transport the poles & materials on site because the condition prevailing during rainy period in the agricultural field was beyond the control of distribution licensee. Once the rain decreases the respondent completed the work of line on 30.01.2014 which was damaged & restore the supply on 01.02.2014. On the same day the connection to the complainants Ag pump was released by the respondent.

MSEDCL's circular 22197 of 20.05.2008 regarding NON DDF CCRF Scheme , gives option to applicants to carry out the works, get supply early and get refund of the costs incurred, through future electricity bills The complainant had not opted under the said scheme for early connection.

In view of circumstances mentioned above in my opinion there observed no intentional delay for providing electric connection to the complainant's agricultural pump on the part of respondent . The respondent can not be held responsible for the delay which was beyond his control & is not liable for compensation to the applicant as per SOP regulation. The respondent has provided the connection to the complainant's Ag pump on 01.02.2014 after carrying out the work of existing line which got damaged due to natural calamity. As the connection is already given to the complainant's agricultural pump, no compensation needs to be awarded to the complainant.

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 requires extension or augmentation of distribution mains, the distribution licensee shall give supply to such premises within three (3) months from the date of receipt of complete application in accordance with the Maharashtra Electricity Regulatory Commission (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 (3) months from 22-02-2013. The respondents have released the connection on 01-02-2014. So he is entitle for compensation as provided under Regulation 12 and appendix A item1 (iii) attached the said Regulations.

8. In absence of any evidence much less reliable and cogent evidence we are not inclined to accept other claims of the applicant.

9. The respondent can not deny binding effect of SOP Regulations. So the note submitted by technical member can not be considered in toto.



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**(O) 0712- 2022198**

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NO. CGRF/NZ/

Date :

Certified copy of order dated 06<sup>th</sup> May, 2014 in Case No.35 / 2014 is enclosed herewith.

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

To,  
Shri Dilip Vinayak Raut, At.Takli, Po.Sirasgaon, 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  
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