

**CONSUMER GRIEVANCES REDRESSAL FORUM;**  
**MSEDCL NAGPUR (RURAL) ZONE NAGPUR**  
**COMPLAINT NO. 32/2013**

Shri Tilokchand Suganchan Singhvi  
At., Po.Mangrul  
Tq.Samudrapur  
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

Respondents represented by 1) Shri M.S.Vaidhya, Executive Engineer, Hinganghat  
2)Shri P.R.Parankar,Junior Engineer,Girad Dist. Centre.

**CORAM:**

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

**JUDGEMENT**

**(Delivered on this 01<sup>st</sup> day of July, 2013)**

2) Feeling aggrieved and dissatisfied with the order passed by the IGRC Wardha under No.SE/Wardha/Tech/2391 dated 22-04-2013 Shri Tilokchand Suganchand Singhvi (hereinafter referred to as, the applicant) has presented this grievance application. It is the contention of the applicant that the respondent MSEDCL failed to give him electricity connection within the time frame provided under the MERC (standards of performance of distribution licensees, period for giving supply and determination of compensation) Regulations 2005. So he is entitle for compensation.

He approached the IGRC Wardha. His application was dismissed by the aforesaid order. So he presented this grievance application under the provisions of Regulation 6.4 of the MERC (CGRF & E.O.) Regulations 2006.

3) A notice was given to the respondent MSEDCL. The respondent submitted parawise reply to the application under No.EE/O&M/H'ghat/Tech/2601 dated 28-05-2013. The case was fixed for personal hearing on 17-06-2013. Shri B.V.Betal authorized representative was present for the applicant. Shri M.S.Vaidya, Executive Engineer, Hinganghat and Shri P.R.Parankar, Junior Engineer, Girad Distribution Centre represented the respondents. Both the parties were heard.

4) After hearing the parties and upon perusal of the record, we have framed the following issues for consideration,

- |   |                                    |
|---|------------------------------------|
| (i) Whether the applicant submitted the complete application and whether he had completed all the formalities ? | Yes                                |
| (ii) Whether the applicant is entitle for compensation ?  | Yes                                |
| (iii) What order ?  | The application is partly allowed. |

#### REASONS

5) (i) Shri B.V.Betal, submitted that the applicant submitted an application for supply of electricity to his agricultural pump on 06-05-2010. The respondent issued a demand note on 20-08-2010. The applicant deposited the amount as per demand note on 20-08-2010. He submitted the test report on 23-08-2010. Shri Betal urged that the

application was complete in all respect and the applicant completed all required formalities. So he was entitle for connection within the time frame prescribed under the MERC (standards of performance of Distribution licensees, period for giving supply and determination of compensation) Regulations 2005.

In reply, the respondent admitted that the application was submitted on 06-05-2010. The demand note was issued on 28-05-2010. The respondent admitted that the applicant deposited the demand amount on 20-08-2010 and he submitted the test report on 30-08-2010.

In view of the aforesaid position, it is ample clear that the application submitted by the applicant was complete in all respect. So we record our finding against issue No.i in affirmative.

6) (ii) 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.*

According to the applicant he had submitted the complete application. So he was entitle for release of connection within the period of three months from 30-08-2010. The respondents released connection on 06-04-2013. The respondent stated that the power supply was given by affixing the meter on L.T. pole. They also stated that the

supply was released on 27-12-2012. However the employees have not provided the supply connecting the service wire, to the installation, which was affixed on a broken pole. The applicant got the supply on 06-04-2013. He produced xerox copy of a panchanama. So he is entitled for compensation as provided under Regulation 12. In addition to this he may be awarded a compensation of Rs.3 Lakhs towards the loss to his agricultural produce.

The respondent refuted the claim of the applicant. It was stated, to provide the connection to the applicant, it was necessary to lay L.T. line admeasuring 0.3 Km.. The name of the applicant was entered in paid pending list of the year 2010-11. The connections are released as per seniority list. The connections are released as per the orders from the higher authorities and the availability of grant under SPA scheme. As per the orders of the higher authorities, the work to release the connections to the applicants, who have deposited the amount during the period from June, 2010 to March, 2011 has been taken in hand. The applicant has been given a connection 27-12-2012. There was no delay in release of connection to the applicant. So he is not entitle for any compensation.

On perusal of the aforesaid position, it is admitted fact that the applicant deposited the amount as per demand note on 20-08-2010. He submitted the requisite test report on 30-08-2010. His name was included in the paid pending list also. This means the application was complete in all respect and the requisite amount was also deposited. As per the submission of the respondent to provide the connection

augmentation to distributing mains was necessary. In such circumstances the applicant was entitle for connection on or before 01-12-2010. According to the respondents the connection was given on 27-12-2012. However the applicant denied this statement. It was stated that the power supply to the installation, which was fixed on a broken pole was given on 06-04-2013. This controversy was discussed before IGRC also. The IGRC in its order recorded its observation, which reads,  $\beta\theta\lambda\eta\rho\ \text{ueq d}\$; \text{kuqkj r l } \rho$  vtZjkps i rfu/kh Jh csky ; kuh l qko.kh njE; ku mi lFkr d\\$\\$; k vk{kksuqkj xlgdkps bULVky\\$/kuyk fot i jpbk tkl.; kr vlyk ulgh- ; koj x\\$/vtZjkpQZ dksrgh er 0; Dr d\\$/s ulgh- xlgdkpsbULVky\\$/ku es flope/ksfoti jpbk tkl.Y; kurjp fot duB"ku >lysvl sEg.krk ; s\\$/ That is why the IGRC pass order, which reads,  $\beta\theta\lambda\eta\rho\ \text{fu; ekuqkj ; k\$/; fjfrusfot duB"ku >Y; kpk vgoky o R; kpk fnukd d\$\$ dGokok-P$  Shri Betal produced a Xerox copy of a panchanama. It show that the connection was actually released on 06-04-2013. On 17-06-2013, Shri Parankar, Junior Engineer, who is incharge of the village was present. On perusal of the copy of the panchanama Shri Parankar and Shri Vaidya Executive Engineer admitted that the power supply was released on 06-04-2013. . So the applicant is entitle for compensation as provided under Regulation 12 and appendix A item 1(iii) attached to the said Regulations. Hence issue No. ii is answered in the affirmative.

7) The technical member of the forum submitted a note which reads 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 However supply of electricity to 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 carried out as per the seniority of the applications/applicants who deposited the demand amount & completed the formalities in all respect. While at the time of execution of work there were the instances of standing crops in the field & due to objections raised by the adjacent Agriculturist, the respondent had to wait till the crop season is over to carry out the work.

In view of circumstances mentioned above there is no intentional delay for providing electric connection to complainant's agricultural pump on the part of respondent . The respondent has provided the connection to the complainant's Ag pump as per the seniority list. As the connection is already provided to the complainant's agricultural pump.

Therefore in my opinion, the respondent is not responsible for delay in giving supply & any losses caused to the complainant. Hence, no compensation needs to be awarded to the complainant.

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

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

- 9) (iii) In view of the aforesaid discussion, we pass the following order, by majority.

**ORDER**

- i) Application No.32 of 2013 is partly allowed.
- ii) The respondent MSEDCL is directed to pay compensation @ Rs.100/- per week from 01-12-2010 to 06-04-2013
- iii) Compliance of this order shall be reported within three months from the date of receipt of this order.
- iv) In the facts and circumstances of the case we order no cost.

**Sd/-** (Adv.Gauri D.Chandrayan) **Sd/-** (Ms.S.B.Chiwande) **Sd/-** (Vishnu S. Bute)  
**MEMBER** **MEMBER SECRETARY** **CHAIRMAN**  
**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR**  
**(Nagpur Dtd.01<sup>st</sup> day of July, 2013)**

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

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cgrfnz@gmail.com

**(O) 0712- 2022198**

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NO. CGRF/NZ/

Date :

Certified copy of order dated 01<sup>th</sup> July,,2013 in Case No.32 / 2013 is enclosed herewith.

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

To,  
Shri Tilokchand Suganchand Singhvi, At.Po.Mangrul, 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



