

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

NO. CGRF/NZ/R/

Date :

Certified copy of order dtd 23rd July,2009 in Case No. 112/2009 is enclosed herewith.

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

Copy to:-

1. Shri Deorao Ramaji Hulke, At & Post-Daroda, Tah-Hinganghat, 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, Hinganghat .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/ **112** of 2009

Applicant : Shri Deorao Ramaji Hulke, At & Post-Daroda,
Tah-Hinganghat, Dist-Wardha.

-- VS --

Non-applicant : 1.ExecutiveEngineer/Nodal Officer, Internal Grievance Redressal Cell,
CircleOffice, M.S.E.D.C.L., Wardha.
2.Executive Engineer,C.C.O&M Dn., M.S.E.D.C.L., Hinganghat.

Present : : 1.Shri V.R.Khobragade,Chairman
2.Shri S.F.Lanjewar, Member-Secy.

Appearance. : 1. Shri B.V.Betal,
Representative of Applicant Present alongwith
2. Shri D.R.Hulke - the applicant. .
1. Shri P.R.Ghorude, A.E. .
Present for Non-Applicants.

ORDER

(Passed this 23rd day of July,2009)
(Per Shri V.R. Khobragade, CHAIRMAN)

1. Being aggrieved with the order of I.G.R.C., Wardha, the Applicant filed an Application in form schedule 'A' as per MERC (CGRF&EO) Regulations,2006 to this Forum on **28th May,2009** requesting to grant of compensation for delay in providing of electricity connection to the agricultural pump of Applicant and refund of excess amount paid towards demand note.
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 **9/7/2009**. Forum thus, offered a fair, reasonable and adequate opportunity to both the parties for submission of their say in the matter.

3. The matter in brief is that the Applicant made an application for electric connection on 9/5/2005 and second time on 28/1/2008. Demand note issued to the Applicant on 26/11/2008 and payment was made by Applicant on 11/12/2008 and submitted test report on 12/12/2008. Electricity connection, however, has been supplied to the Applicant till date of application. Applicant further contended that he had paid excessive amount towards demand note issued to him.
4. Both the parties were present and they were heard. Both the parties reiterated the same points as mentioned in the application and parawise comments. Representative of Applicant contended that Applicant has applied for electric connection to his agricultural pump on 9/5/2008. The Applicant contended that he was asked to submit another application as the application dtd. 9/5/2008 was lost in the office of J.E.,Wadner. The Applicant accordingly had submitted another application on 28/1/2008. Demand note was issued on 26/11/2008, paid demand note amount on 11/12/2008 and also submitted test report on the same date but further contended that no electricity connection is supplied to the Applicant till date. The Applicant further contended that he had paid an excessive amount towards demand note and lastly requested for of Rs. 10,000/- towards mental harassment and Rs. 5000/- towards expenditure incurred on travelling.
5. Shri P.R.Ghorude, A.E. was present on behalf of non-applicants and Shri Ghorude contended that there is no dispute regarding receipt of application, issue of demand note, payment towards D.N. and submission of test report. As the application was not traceable, the Applicant was asked to submit fresh application. The Applicant accordingly submitted the fresh application on 28/10/2008. The application was sent to J.E. for spot inspection on 28/10/2008 and the J.E. submitted spot inspection report to the A.E. on 12/11/2008. There is hardly delay of one or two days and therefore needs no consideration for compensation. The A.E., (Rural)Sub/Dn, Hingangahat sanctioned work order on 26/11/2008, on formation of group estimate, issued demand note on 9/12/2008 to the Applicant. The Applicant has paid demand note amount on 11/12/2008 and submitted test report on 12/12/2008. The Applicant's application was included in group estimate and his seniority No. is 299 as on

June,2009. The work of erection of transformer is given to the contractor on Turn Key Contract.Non-applicants contended that the electricity connection will be supplied to the agricultural pump of the Applicant as per seniority list and availability of the material. D.L. contended that there is no deliberate delay on the part of D.L. for release of electric connection to the Applicant.

6. On going through the record, following facts have been noticed by Forum that the Applicant has applied for electric connection on 9/5/2005 but since the application was found untraced in Wadner D.C., the Applicant was asked to submit fresh application. The Applicant submitted a fresh application on 28/10/2008. The application was sent for spot inspection 28/10/2008 and the J.E. submitted spot inspection report to the A.E. on 12/11/2008. The Applicant's application was included in group estimate and his seniority No. is 299 as on 24 June,2009. Perusal of record reveals that the Applicant's application became viable on formation of group estimate, delay occurred for issuing of demand note does not therefore attract the provision under Regulations. The A.E., (Rural) Sub/Dn, Hingangahat sanctioned work order on 26/11/2008, issued demand note on 9/12/2008 to the Applicant. The Applicant has paid demand note amount on 11/12/2008 and submitted test report on 12/12/2008.The work for installation of transformer has been allotted to the contractor on turnkey contract. The said period for construction of Transformer needs at least 3 months as provided in Regulation. The Applicant submitted test report on 12/12/2008. A span of a month is also excluded from the date of submission of test report. In this case there is a delay of 3 weeks excluding a period of four months of which a period of three months for installation of transformer and a period of one month is considered from submission of test report. Delay of supply of power to the Applicant comes to 3 weeks approximately and Applicant is entitled to get compensation of Rs. 300/- Applicant shall be further entitled to get compensation till supply of power connection as per norms prescribed. Applicant shall pay Rs. 1000/- to D.L. for want of short payment made by him. D.L. is further directed to provide

power supply with priority. For want of documents no compensation as claimed for mental harassment and traveling expenses is considered.

7. With the above observations, the Forum thus unanimously pass the following order.

-: ORDER :-

1. The application is allowed and order passed by IGRC, Wardha is set aside.
2. Compensation of Rs. 300/- to the Applicant within three months from receipt of this order.
3. Applicant has to pay Rs. 1000/- towards D.N. as per new circular in force.
4. No order to costs.
5. Parties be informed accordingly.

SD/-
(V.R.KHOBRADE)
CHAIRMAN

SD/-
(S.F.LANJEWAR)
MEMBER/SECY

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

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