

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 28/2015

Shri Keshavrao Shende
Near Prof.Dhekwar
T.B.Toly, Gondia
District - Gondia.

Complainant

,,VS..

1. Executive Engineer,
MSEDCL,O&M Division,
Gondia.

2. Executive Engineer/Nodal Officer,
I. G. R. C., Circle Office,
MSEDCL,Gondia.

Respondents

Applicant represented by 1) Nobody present

Respondents represented by 1) Shri V.S.Jasmatiya, Dy.Exe. Engineer Tiroda

CORAM:

Shri Vishnu S. Bute, Chairman.
Adv. Gauri D. Chandrayan, Member
Smt.D.D.Madelwar, Member-Secretary.

JUDGEMENT

(Delivered on this 26th day of May, 2015)

2. Shri Keshavrao Shende near Prof. Dhekwar, T.B.Toly, Gondia – the applicant - had applied to the MSEDCL – the respondent for new agricultural connection. According to the applicant the respondent failed to release the connection within the stipulated period. As such he is entitle for compensation as per the provisions contained in 2014 Regulations. The IGRC Gondia dismissed his claim for compensation by an order passed on 24-11-2014. The applicant approached this forum on 30-03-2015.

The case was fixed for hearing on 25-05-2015. Neither the applicant nor his

representative was present on the day of hearing. So we presume that he has nothing to say more than the fact mentioned in the application. Shri V.S.Jasmatiya, Dy.Executive Engineer, Tiroda was present for the respondent. He was heard. Now we decide the case on merit.

3 According to the application submitted by the applicant he submitted an application in the prescribed form for new agricultural connection on 21-01-2014. He got the demand note from the respondent. He deposited the amount on 19-06-2014. He submitted the test report on 19-06-2014. In spite of the fact that his application is complete in all respect the respondent has not released the connection till today.

The applicant requested that the respondent may be directed to release the connection immediately. The respondent may be directed to pay the compensation @ Rs.100/- per week for the time of delay. Penalty @ Rs.100/- per week may be imposed on the respondent.

4. The representative for the respondent referred to the written replay dated 30-04-2015. It was further stated that the new connections are released as per the directions received from higher authorities and availability of funds. The REC – SPA scheme has been stopped from February 2014. Now the respondent started new scheme known as, Infra II from December 2014. Under this scheme the applicants, who have deposited the amount till March 2014, will be given the connections. For the applicants whose names are included in seniority list, for April 2014 to March 2015, the Head office sanctioned a special package to release the connections. A tender process is in progress to select the contractor. Since the respondent has taken the necessary action.

The application may be dismissed.

5. We have perused the record. We have heard the argument advanced by the respondent.

It is true that the applicant submitted the application complete in all respect. He also deposited required amount. So as per the provisions contained in Regulation 4.8, he was entitle for connection within the period of three months from the date of submission of the test report. He was entitle for connection on or before 18-09-2014. The respondents have not release the connection till today. So he is entitle for compensation.

Provisions about the determination of compensation are contained in regulation 12 of the CGRF (standards of performance of distribution licensees, period for giving supply and determination of compensation) Regulations 2014, proviso to Regulation 12 reads as under,

*“ Provided that any person who is affected by the failure of the *Distribution Licensee to meet the standards of performance specified under these Regulations and who seeks to claim compensation shall file his claim with such a Distribution Licensee within a maximum period of sixty (60) days from the time such a person is affected by such failure of the Distribution Licensee to meet the standards of performance.*”*

On perusal of the record it is seen that there is no evidence on record showing that the applicant claimed the compensation to the respondent any time. As such there is no compliance of the provisions contained in the proviso to Regulation 12. As such compensation can not be awarded to the applicant.

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

7. In view of the position discussed above we pass the following order,

ORDER

- i) Application no.28 of 2015 is hereby dismissed.
- ii) No order as to cost.

Sd/-
(Adv.Gauri D.Chandrayan) **sd/-**
(Smt.D.D.Madelwar) **sd/-**
(Vishnu S. Bute)
MEMBER **MEMBER SECRETARY** **CHAIRMAN**
CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR
(Nagpur Dtd.26th day of May, 2015)

CONSUMER GRIEVANCE REDRESSAL FORUM
NAGPUR ZONE (RURAL) M. S. E. D. C. L.
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440013

Email.id- cgrfnz@mahadiscom.in
cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 26th May, 2015 in Case No.28 / 2015 is enclosed herewith.

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

To,
Shri Keshavrao Shende, Near Prof.Dhekwar, T.B.Toly, Gondia
Dist.Gondia.

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.Gondia
2. Executive Engineer,C.C.O&M Dn., MSEDCL, Gondia.
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