

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

COMPLAINT NO. 353/2011

Shri Gajanan Marotrao Balbudhe,
At Ladki, Post Pardi,
Taluka Hinganghat,
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 Mr. B.V.Betal. .

Respondents represented by 1) Shri A.C.Karande, Jr.Engineer, Hinganghat.

CORAM:

Shri T. M. Mantri, Chairman.
Shri M. G. Deodhar, Member.
Ms. S. B. Chiwande, Member-Secretary.

ORDER
(Per Chairman Dtd. 17th January, 2012)

The complainant has submitted application for 5 H.P. Ag.Pump Connection on 10/04/2008, Demand Note was issued to him on 15/12/2009, amount deposited on 15/12/2009, Test Report given on 15/12/2009. According to complainant though he has approached for electric connection time and again no supply has been given. On the contrary by superceding the seniority of the complainant the connection has been provided to others. Excess amount of Rs.

500/- has been taken in the Demand Note which needs to be refunded and electrical connection needs to be provided immediately. Agricultural income loss has been suffered for Rs.12 lakhs and the complainant has also claimed Rs.15000/- towards mental harassment and Rs.2000/- towards traveling expenses. He has approached to I.G.R.Cell, Wardha on 03/08/2011, complaint made, though matter heard no order has passed, therefore complainant is compelled to approach to this Forum for Redressal of his grievances.

2. As per the Rules, notice was given to the Respondent Licensee for submitting parawise comments. On 25.11.2011, accordingly the reply came to be filed on behalf of the Respondent Licensee wherein it is stated that for giving electric connection to the complainant extension of existing line by erecting four poles L.T. Line extension was necessary and accordingly on 26/02/2009 Demand Note was given. Reference has been made to Clause 12 of MERC Regulation,2005 and submitted and stated that complainant is not tenable and complainant is not entitled. It is further stated that under SPA Scheme and upon availability of the material so also from the seniority list the electrical supply will be provide. There is no intentional delay and hence compensation can not be awarded. Excess amount demanded in the Demand Note will be refunded to the complainant as per rules.

3. Heard Ld. representative Shri Betal for complainant & representative Ld. Shri A.C.Karande, Jr.Engineer for Respondent Licensee. On behalf of complainant letter of written notes of argument has to be filed and then chance was granted to Respondent Licensee. It is preferred to rely on the oral submission. The only submission made on behalf of the Respondent Licensee was that as per seniority list connection would be provided to the complainant. Further no documents in support has been produced on record even the alleged seniority list is not produced. In the complaint the complainant has categorically pleaded about providing of electrical connections to subsequent to the junior than him that is not been denied in the reply. Even during course of argument nothing

has been submitted in that respect from the side of Respondent Licensee, though the Ld. representative has filed part of list of the consumers who have been provided connections who have deposited and submitted test report subsequently than the complainant. Even thereafter nothing has been submitted from the side of the Respondent Licensee in reply on such submission on the side of the complainant. Ld. representative of Respondent Licensee has submitted that electrical supply will be given by 31/12/2011 but it seem that till date it is not been complied with. In any case the provisions of S.O.P. of MERC Regulation,2005 provides time limit for giving electrical supply that has been contravene from the side of the Respondent Licensee. Hence complainant is entitled for appropriate relief.

4. According to the Ld. Member Secretary of this Forum the complainant's cause of grievance about payment of compensation for delay in giving supply arose only when supply was given to him. In this case the supply is not yet given. The complainant's prayer for compensation for delay in giving supply appears premature in view of the orders passed by the Hon'ble Electricity Ombudsman, Mumbai in representation No. 32/2010 & 34/2010. Hence the complainant is not entitled for compensation.

5. However as observed above Respondent Licensee has not fulfilled its obligations as per the provisions and supply code. Therefore, the complainant is entitled for appropriate relief in terms of following orders per majority hence the order.

ORDER

- (1) The Complaint No. CGRF/NZ-R/353/2011 is hereby partly allowed.
- (2) The Respondent Licensee is directed to provide electric supply to the complainant within one month..
- (3) Respondent Licensee is also liable to pay compensation @ Rs. 100/- per week as per SOP Supply Regulations, from 16.03.2010 till providing of the electric connection.
- (4) Rest of the claims of the complainant is rejected.
- (5) In the circumstances, parties to bear their own cost.
- (6) Compliance report be submitted in time.

Sd/-
MEMBER

Sd/-
MEMBER SECRETARY

Sd/-
CHAIRMAN

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

(Order Per Chairman Dtd.: 17th January, 2012)

**CONSUMER GRIEVANCE REDRESSAL
FORUM**

NAGPUR ZONE (RURAL) M. S. E. D. C. L.

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,
NAGPUR – 440 013

Shri T.M.Mantri
Chairman
(Mb)9673215771

(O) 0712- 2022198

Shri M.G.Deodhar,
Member
(M)9422805325

NO. CGRF/NZ/R/

Date :

**Certified copy of order dtd 17th January,2012 in Case No.
353/2011 is enclosed herewith.**

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

To.

Shri Gajanan Marotrao Balbudhe, At Ladki Post- Pardi,Tq-Hinganghat,Dist. Wardha

Copy S.W.Rs.to :-

1. The Chief Engineer,Nagpur Zone (Rural)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
Ph.No.0712-2022198.

