

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 48/2013

Shri Sanjay Manikrao Bharaskar
At.Murpad, Po.Kajalsara
Tq.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 1) Shri B.V.Betal

Respondents represented by 1) Shri M.S.Vaidhya, Executive Engineer, Hinganghat
2) Shri V.M.Hedao, Assistant Engineer, Hinganghat.

CORAM:

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

JUDGEMENT

(Delivered on this 25th day of July, 2013)

2. Feeling aggrieved and dissatisfied with the order passed by the IGRC Wardha under No.SE/Wardha/Tech/2710 dated 19-05-2013, Shri Sanjay Manikrao Bharaskar (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 and 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/3307 dated 02-07-2013. The case was fixed for personal hearing on 22-07-2013. Shri B.V.Betal, authorized representative was present for the applicant. Shri M.S.Vaidya, Executive Engineer, Hinganghat and Shri V.M.Hedao, Assistant Engineer, Hinganghat represented the respondent. Both the parties were heard.

4. Shri Betal, authorized representative contended that the applicant submitted an application for supply of electricity to his poultry farm on 09-01-2012. The respondent issued a demand note on 13-03-2012. The applicant deposited the amount as per demand note on 13-03-2012. He submitted the test report on 14-03-2012. Shri Betal argued 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. The respondents released the connection on 18-04-2013. So compensation as provided under Regulation 12 may be awarded to him.

It was further stated that he may be given Rs.20,000/- each for physical and mental harassment. Rs.3000 each may be awarded towards travel expenses and the cost of the instant proceeding.

5. In reply the respondent admitted that the application was submitted on 09-01-2012. A demand note was issued on 13-03-2012. The respondent admitted that the applicant deposited the demand amount on 13-03-2012 and he submitted the test report on 14-03-2012.

It was further stated, to provide the connection to the applicant it was necessary to lay L.T.line admeasuring 0.72 k.m. The connections are released as per seniority list. The connections are released as per the orders from the higher authority and availability of material. The applicant has been given connection under Non DDF (Deptt.) scheme. The connection was given on 08-03-2013, as per the office record. There is no delay in release of connection to the applicant. So he is not entitle for any compensation.

6. The technical member of this 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 completed in all respect on 14.03.2012,the date on which the test report has been submitted by him to the respondent's office. The complainant had the option to carry out the works , get supply early and get refund of the costs incurred, through future electricity bills as per MSEDCL's circular 22197 of 20.05.2008 regarding NON DDF CCRF Scheme which he didn't opt . However the complainant's application for supply to his Poultry Farm was sanctioned under Non DDF (Dept) scheme. The respondent contended that for supply to his Poultry farm,12 poles & other materials were required . After availability of all materials, supply would be released on 08.03.2013 .

Therefore in my opinion, the respondent is not responsible for delay in giving supply & any losses caused to the complainant. As the connection is already provided to the complainant's Poultry Farm on 08.03.2013. Hence, 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 also submitted the test report. So it is ample clear that the applicant submitted the application which was 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 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.

The applicant submitted the test report on 14-03-2012. So he was entitle for release of connection within the period of three months from 14-03-2012 i.e on or before 14-06-2012. The connection was not given during this time. So he is entitle for compensation as provided under Regulation 12 and appendix A item 1 (iii) attached to the said Regulations.

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

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(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 25th July,,2013 in Case No.48 / 2013 is enclosed herewith.

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

To,
Shri Sanjay Manikrao Bharaskar, At.Murpad, Po.Kajalsara,
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. 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