

**CONSUMER GRIEVANCES REDRESSAL FORUM;**  
**MSEDCL NAGPUR (RURAL) ZONE NAGPUR**  
**COMPLAINT NO. 34/2015**

Shri Ajgar Ali Sayyad Ali  
At.Takli(Nidha),Po.Sirasgaon  
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, Authorized representative  
Respondents represented by    1) Shri A.V.Tupkar, Dy.Exe. Engineer Hinganghat (R)

**CORAM:**

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

**JUDGEMENT**

**(Delivered on this 26<sup>th</sup> day of May, 2015)**

2. Shri Ajgar Ali Sayyad Ali, At.Takli(Nidha) Po.Sirasgaon, Tq.Hinganghat, Dist.Wardha – the applicant had applied to the MSEDCL – the respondent - for new agricultural connection. According to the applicant the respondent failed to issue him a demand note within the stipulated period. As such he is entitle for compensation as per the provisions contained in 2014 Regulations.

The IGRC Wardha dismissed his application by an order passed on 10-03-2015 as he was absent at the time of hearing. The applicant approached this forum on 20-04-2015. The case was fixed for hearing on 25-05-2015. Both the parties were

present. They were heard.

3. Shri B.V.Betal authorized representative for the applicant argued that the applicant submitted the application for new agricultural connection on 12-12-2011. He asked for the demand note so many times. However the demand note was not given. Finally, the applicant received the demand note on 18-02-2015 by post. The applicant deposited required amount on 22-02-2015. He submitted the test report on 12-05-2015. There is inordinate delay in issuing the demand note by the respondent. So a compensation may be awarded to the applicant. The applicant claimed the compensation by an application dated 15-04-2015. So there is a compliance of the provisions contained in proviso to Regulation 12.

4. Shri A.V.Tupkar, Dy.Executive Engineer represented the respondent. He rejected the claim of the applicant. The respondent admitted that the applicant submitted the application on 12-12-2011. He mentioned his village of residence wrongly. So it was not possible to take action immediately. The applicant did not contact the respondent about the progress in the application. When he approached the respondent a demand note was given after carrying out the spot inspection. There is no delay. So his application may be dismissed.

5. The technical member of the forum submitted a note as under,

I have gone through the documents on record & submissions made by both the parties, it is not disputed that the complainant has completed all the formalities for getting electric connection to his Ag pump. However supply of electricity to agricultural pumps is carried out under various schemes such as SPA –PE ,DPDC, Non Refundable

DDF, Infrastructure scheme-II. At present, there appears pendency of agricultural pump applications in Hinganghat Division under various schemes. To provide any infrastructure to consumer cost required for it is to be get approved from MERC. As the huge no. of agricultural pump applications are received the fund required for its infrastructure is more for which provision has to be made after approval of MERC, which cases delay in approving schemes. Hence MSEDCL is not responsible for any delay for erection of infrastructure of agricultural paid pending applications. The respondent stated that the work of laying HT/LT lines & T/F for supplying connection is entrusted to the agency & is being carried out as per the seniority of the applications/applicants who have deposited the demand amount & completed the formalities in all respect. The respondent further stated that the works of paid pending list for the year 2010-11 & 2011-12 have been started. The works for the period of April 2013 onward have been entrusted to M/s Rudrani Infrastructure under Infrastructure-II scheme. The works are started by the agency & are being completed soon. The complainant requires 0.24 km LT line extension for his Ag. pump connection, accordingly connection would be released as per his seniority no.411 placed in paid pending list of the year 2014-15 as per demand paid by him.

MSEDCL issued revised guidelines for releasing of new agricultural connections vide CE(Dist.)/RE/Ag.pump/4900 dt.12-02-2014 which gives option to applicants to carry out work under Non refundable DDF scheme by incurring entire expenditure. It appears that the complainant has not opted for getting done his Ag. connection early under the said scheme, hence his name is placed in the seniority list of the year 2014-

15 as per demand paid by him.

In view of circumstances mentioned above, we can not held the respondent responsible for the delay in providing electric connection to the complainant's pump. The respondent shall provide the connection to the complainant's Ag pump as per the seniority list, otherwise it will cause great injustice on the part of other applicants who have paid the demand prior to the complainant.

Moreover the complainant's cause of grievance about payment of compensation for delay in giving supply will arise only when supply is given to him. In this case the supply is not yet given. The complainant's prayer for compensation for delay in giving supply is premature, in view of the order passed by Hon'ble Electricity Ombudsman, Mumbai in representation No. 32/2010 & other representations where similar issues were involved.

The applicant has not given proper address so the respondent MSEDCL could not trace his land so there was a delay in issuing demand note to the applicant.

In view of above I am of the opinion that the respondent is not responsible for delay in giving demand note to the complainant. Hence in my opinion the complainant is not entitled for compensation.

6. We have perused the record. We have heard the arguments advanced by both the parties.

It is admitted fact that the applicant submitted the application for new agricultural connection on 12-12-2011. It is also admitted by both the parties that the applicant received the demand note on 18-02-2015. The provisions about the time limit to issue the demand note are contained in Regulation 4.5 of the MERC (standards of

performance of distribution licensees, period for giving supply and determination of compensation) Regulations 2014. It reads as under,

4.5 “ *Where the supply of electricity to an applicant requires extension or augmentation of distributing mains, the Distribution Licensee shall intimate the charges to be borne by such applicant within thirty (30) days from the date of submission of such application, regardless of whether such application is deemed to be complete under Regulation 4.2.*”

As per the respondent to provide connection to the applicant laying of LT line admeasuring 0.24 k.m. is necessary. In such circumstances the respondent was duty bound to issue a demand note on or before 11-01-2012. However the respondent issued the demand note on 18-02-2015. So it is clear that the respondent issued the demand note after the stipulated period and the applicant is entitle for compensation. The applicant has made the compliance of the provisions contained in proviso to Regulation 12.2.

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

8. In view of the facts and circumstances discussed above, we pass the following order, by majority,

#### **ORDER**

- i) Application no.34 of 2015 is partly allowed. The applicant is entitle for compensation from 13-01-2012 to 18-02-2015.

- ii) The respondent MSEDCL is directed to pay compensation @ Rs.100 per week from 13-01-2012 to 18-02-2015. The payment shall be made within the period of 90 days from the date of receipt of this order.
- iii) No order as to cost.

**Sd/-**  
**(Adv.Gauri D.Chandrayan)**  
**MEMBER**

**sd/-**  
**(Smt.D.D.Madelwar)**  
**MEMBER SECRETARY**

**sd/-**  
**(Vishnu S. Bute)**  
**CHAIRMAN**

**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR**  
**(Nagpur Dtd.26<sup>th</sup> 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](mailto:cgrfnz@mahadiscom.in)  
[cgrfnz@gmail.com](mailto:cgrfnz@gmail.com)

**(O) 0712- 2022198**

---

NO. CGRF/NZ/

Date :

Certified copy of order dated 26<sup>th</sup> May, 2015 in Case No.34 / 2015 is enclosed herewith.

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

To,  
Shri Ajar Ali Sayyad Ali, At.Takli(Nidha) Po.Sirasgaon  
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. 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