

CONSUMER GRIEVANCES REDRESSAL FORUM;

MSEDCL NAGPUR (RURAL) ZONE NAGPUR

COMPLAINT NO. 39/2015

Shri Krushnaji Chindhuji Bobhate
At.Aajangaon, Po.Arvi
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 K.R.Bobade, Authorized representative

Respondents represented by

1) Shri M.S.Vaidya, Executive Engineer, Hinganghat Dn.

2) Shri A.V.Tupkar, Dy.Exe. Engineer Hinganghat (R)

CORAM:

Adv. Gauri D. Chandrayan, Member

Mrs. D.D.Madelwar, Member-Secretary.

JUDGEMENT

(Delivered on this 29th day of June, 2015)

2. Shri Krushnaji Chindhuji Bobhate, At.Aajangaon, Po.Arvi,Tq.Hinganghat, Dist.Wardha (hereinafter referred to as, the applicant) had applied to the distribution licensee MSEDCL (hereinafter referred to as, the respondent) for new connection to his agricultural pump set. It is the contention of the applicant that inspite of the fact that he completed all the formalities the respondent had not released the connection within the time limit prescribed under the MERC (standards of performance of distribution licensees, period for giving supply and determination of compensation) Regulations 2014. He approached the IGRC Wardha. The IGRC Wardha dismissed his application

vide order passed under no.SE/Wardha/Tech/IGRC/1826 dated 18-04-2015. Feeling aggrieved by the aforesaid order, the applicant presented the instant application under the provisions contained in Regulation 6.4 of the MERC (CGRF and E.O.) Regulations 2006 on 05-05-2015.

3. A copy of the application was given to the respondent. The respondent was directed to submit parawise reply. The respondent submitted reply under no.EE/O&M/H'ghat/Tech/2429 dated 28-05-2015. The case was fixed for personal hearing on 29-06-2015. Shri K.R.Bobade, authorized representative was present for the applicant. Shri M.S.Vaidya, Executive Engineer, Hinganghat & Shri A.V.Tupkar, Dy.Executive Engineer, Hinganghat(R), represented the respondent. Both the parties were heard.

4. It was contended on behalf of the applicant that he submitted an application for connection to his agricultural pump on 07-09-2012. He received demand note on 19-06-2013. He deposited the amount as per demand on 06-08-2013. He submitted the test report on 06-08-2013. In spite of the fact that the application was complete in all respect the respondent failed to release the connection within the stipulated period given under SOP Regulations. The connection is not yet released..

The applicant's prayer was as under,

The applicant may be awarded compensation as provided under SOP Regulations. The applicant may be awarded compensation towards the loss to his agricultural produce and delay in connection Rs.50,000/- and Rs.12,000/- respectively.

5. Shri Tupkar, Dy.Executive Engineer, referred to the parawise reply dated 28-05-2015. It was further stated that the applicant submitted the application on 07-09-2012.

A demand note was issued on 19-06-2013. The applicant deposited the amount on 06-08-2013. He submitted the test report on 06-08-2013. To provide connection to the farmers laying of LT line admeasuring 0.24 k.m. was necessary. The applicant was aware of this position. The connections to the agricultural pumps shall be released as per the seniority list of year 2013-2014 from the date of completed the application. And hence there is no delay in giving supply to Ag. connection. So the application may be dismissed.

6. The consumer representative submitted a note which reads as under,

It is admitted position that the applicant submitted the application in the prescribed form. He deposited the amount as per rule. He submitted the test report. His name is also entered in the paid pending list prepared by the respondent. So it is clear that the application submitted by the applicant was complete in all respect.

Regulation 4.8 prescribe the time limit for release of connection, it reads as under,

4.8 Where the supply of electricity to a premise requires extension or augmentation of distributing mains, the Distribution Licensee shall give supply to such premises within three (3) months from the date of receipt of the completed application and payment of charges. The extension or augmentation of distributing mains includes the extension of HT, LT lines and augmentation of distribution transformer substation.

After hearing the parties and upon perusal of the record it reveal that the applicant had submitted the complete application. So the applicant is entitled for compensation. The applicant has made the compliance of the provisions contained in provision to Regulation 12.2.

7. As per CGRF Regulation 2006, clause 4.1 (c) which reads as under,

4.1 (c) “ provided also that where the Chairperson is absent from a sitting of forum, the technical member, who fulfills the eligibility criteria of sub clause (b) above, shall be the Chairperson for such sitting. “

8. After going through the documents on record and submissions made by both the parties, it is not disputed that the complainant has completed all the formalities for getting electric connection to his agricultural pump. However to provide connection to the farmers laying of LT line admeasuring 0.24 k.m. was necessary. The applicant was aware of this position. The connections to the agricultural pumps shall be released as per the seniority list of year 2013-2014 from the date of completed the application. And hence there is no delay in giving supply to Ag. connection. 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 causes delay in approving schemes. Hence MSEDCL is not responsible for any delay for erection of infrastructure of agricultural paid pending applications. Hence the compensation to the consumer can not be granted. So the application may be dismissed.

9. In view of the position discussed above we pass the following order, by majority,

ORDER

i) Application No.39 of 2015 is hereby dismissed.

- ii) No order as to cost.

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

sd/-
(Mrs.D.D.Madelwar)
MEMBER SECRETARY

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR
(Nagpur Dtd.29th day of June, 2015)

CONSUMER GRIEVANCE REDRESSAL FORUM
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cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 29th June, 2015 in Case No.39 / 2015 is enclosed herewith.

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

To,
Shri Krushnaji Chindhuji Bobhate, At.Aajangaon, Po.Arvi
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