

CONSUMER GRIEVANCES REDRESSAL FORUM;

MSEDCL NAGPUR (RURAL) ZONE NAGPUR

COMPLAINT NO. 46/2015

Shri Yashwant Dajiba Bhure
At.Hiwara, Po.Waigaon,
Tq.Samudrapur
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 N.N.Behare, Authorized representative

Respondents represented by

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

2) Shri V.M.Hedau, Dy.Exe. Engineer, Samudrapur

CORAM:

Adv. Gauri D. Chandrayan, Member

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

JUDGEMENT

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

2. Shri Yashwant Dajiba Bhure, At. Hiwara, Po.Waigaon, Tq.Samudrapur, Dist.Wardha (hereinafter referred to as, the applicant) had presented this application on 22-05-2015. The applicant contended that his father Shri Dajiba Shriram Bhure (expired) had submitted an application to the distribution licensee MSEDCL (hereinafter referred to as, the respondent) for new connection to his agricultural pump set. According to the applicant, he deposited the required amount and he had submitted the test report. However the respondent had not given him the connection till today. The applicant approached the IGRC Wardha on 03-02-2015. According to the applicant he

has not received any order from the IGRC. Hence the applicant approached to this forum on 22-05-2015.

3. A copy of the application was given to the respondent. The respondent submitted parawise reply under no.EE/O&M/H'ghat/Tech/2556 dated 05-06-2015. The case was fixed for personal hearing on 29-06-2015. Shri N.N.Behare was present for the applicant. Shri M.S.Vaidya, Executive Engineer, Hinganghat and Shri V..M.Hedau, Dy.Executive Engineer, Samudrapur represented the respondent. They were heard.

4. According to the applicant his late father Shri Dajiba Bhure submitted an application for supply to his agricultural pump set. He deposited the required amount of Rs.4370/- on 14-02-2001. He had submitted the test report on 22-02-2001. However he has not submitted any evidence in support of his aforesaid submissions. The applicant submitted that the respondent have to release the connection and the respondent may be given the compensation for delay in releasing the connection.

5. Shri V.M.Hedau referred to the reply dated 05-06-2015. At the out set he raised the objection that the application is time barred. The applicant had not submitted the test report. However he has not submitted any evidence in support of his submission. According to him the consumer is not in any list of seniority and he should give fresh application for the connection. Circular no.Dist/REI/AG/10531 dated 08-04-2010 it was instructed to delete all the consumer from seniority list who have not paid demand amount upto year 2010. The applicant Shri Dajiba Bhure is dead. As per the provisions of Regulation 6.6 the applicant should have approached the Forum within the period of

two years. The applicant failed to submit the grievance within the prescribed time limit. 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. We have perused the record. We have heard the submissions advanced by both the parties.

The applicant late Shri Dajiba S. Bhure was applied for new connection to his agricultural pump set and he deposited the required amount on 14-02-2001. Now the applicant's son approached the respondent's office at Samudrapur after 14 years for new connection of same agricultural pump set on dated 30-12-2014 in the name of late Shri Dajiba S. Bhure. No documentary evidence was submitted by the applicant to any of the concern MSEDCL offices within two years from the date of application. So the application is time barred.

Regulation 6.6 of the MERC (CGRF & E.O.) Regulations 2006 reads as under,

"The Forum shall not admit any grievance unless it is filed within two (2) years from the date on which the cause of action has arisen."

Hence, it can not be entertained by this forum.

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

ORDER

- i) The application No.46 of 2015 is hereby dismissed.
- ii) The order as to cost.

Sd/-
(Adv.Gauri D.Chandrayan)

MEMBER

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR

(Nagpur Dtd.29th day of June, 2015)

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

MEMBER SECRETARY

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 29th June, 2015 in Case No.46 / 2015 is enclosed herewith.

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

To,
Shri Yashwant Dajiba Bhure, At.Hiwara, Po.Waigaon
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