

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

COMPLAINT NO. 355/2011

Shri Santosh Laxmanrao Burile,
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 19/04/2011, Demand Note was issued to him on 16/07/2011, amount deposited on 21/07/2011 and Test Report given but till date no electric connection has been supplied inspite approaching for electric connection time and again. Complainant has claimed Rs.15000/- towards mental harassment and Rs.2000/- towards traveling expenses, total Rs.17000/- claimed. He has

approached to I.G.R.Cell, Wardha on 03/08/2011, complaint filed, but till date neither matter has been heard and no order has been passed, hence 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 25.10.2011, accordingly the reply came to be filed on behalf of the Respondent Licensee wherein it is stated that for giving 5 H.P. electric connection to the complainant extension of existing line by erecting three poles line extension was necessary and accordingly work order sanctioned and on 04/06/2011 Demand Note was given. It is stated in the reply that copy of outward register in that respect is annexed with the reply. Reference has been made to Clause 12 of MERC Regulation,2005 and stated that as the 60 days delay hence complainant is not entitled for any relief. It is further stated that the amount was deposited on 21/07/2011 but the test report was submitted on 25/07/2011. It is further stated that the seniority list of the consumer who have deposited the amount and submitted test reports during the period 01/04/2010 to 31/03/2011 is given to the superior office and matter is being pursued with it about the complaint in that respect. Lastly submitted that under SPA Scheme and upon availability of the material so also from the seniority list the electrical supply will be provide to the complainant. There is no intentional delay and hence complainant is not entitle for any compensation. Therefore, complaint is liable to be dismissed.

3. Heard Ld. representative Shri Betal for complainant & representative Ld. Shri A.C.Karande, Jr.Engineer for Respondent Licensee. As already observed above no documents has been filed on behalf of Respondent Licensee even assuming that after depositing the amount on 21/07/2011 the complainant is given test report on 25/07/2011, it is not in dispute that the complainant has complied with the necessary requirements. The only submission made on behalf of the Respondent Licensee was that as per seniority list connection will be given to the complainant. However no documents in that

respect is filed on record even said seniority list is not produced on record. As per S.O.P. of MERC Regulation,2005 the electric connection is to be given in the time prescribed. These provisions and Regulations are applicable and binding to the Respondent Licensee. Even as per reply the seniority list upto March,2011 has been only sent to the superior office but nothing has been stated in respect of the complainant. Nothing has been brought on record about the alleged scheme and alleged seniority. It is thus clear that the Respondent Licensee did not complied with the provisions in the Regulations. During course of argument the Ld. representative of Respondent Licensee has submitted that work orders till 31/12/2010 has been given to the contractors and according to him it will require further time for subsequent consumers. As already observed above there is contradictions of the provisions of the Respondent Licensee, the complainant is therefore 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 already observed above Respondent Licensee has failed to comply with the Regulation's provisions. The complainant is therefore, entitled for appropriate relief per majority in terms of following orders.

ORDER

- (1) The Complaint No. CGRF/NZ-R/355/2011 is hereby partly allowed.
- (2) The Respondent Licensee is directed to provide electric supply to the complainant within one month upon receipt of the order. Respondent Licensee is further directed to pay compensation @ Rs.100/- per week as per SOP Supply Regulations, from 25.10.2011 till providing of the electric connection to the complainant..
- (3) Rest of the claims of the complainant is rejected.
- (4) In the circumstances, parties to bear their own cost.
- (5) Compliance report be submitted in time.

Sd/-

Sd/-

Sd/-

MEMBER**MEMBER SECRETARY****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.
355/2011 is enclosed herewith.**

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

To,

Shri Santosh Laxmanrao Burile, At Ladki Post- Pardi(N),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.

