

**CONSUMER GRIEVANCES REDRESSAL FORUM;**  
**MSEDCL NAGPUR (RURAL) ZONE NAGPUR**  
**COMPLAINT NO. 76/2013**

Shri Netram Vitthalrao Deshmukh  
At.Rahati, Po.Kanjali  
Tq.Karanja  
District - Wardha.

**Complainant**

,,VS.,

1. Executive Engineer,  
MSEDCL,O&M Division,  
Arvi.
2. Executive Engineer/Nodal Officer,  
I. G. R. C., Circle Office,  
MSEDCL,Wardha.

**Respondents**

Applicant represented by 1) Shri Netram V.Deshmukh, himself  
Respondents represented by 1) Shri N.V.Gaikwad, Executive Engineer, Arvi  
2) Shri S.M.Wankhade, Assistant Engineer, Karanja

**CORAM:**

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

**JUDGEMENT**

**(Delivered on this 23<sup>rd</sup> day of September, 2013)**

2. Feeling aggrieved and dissatisfied by the order passed by the IGRC Wardha under No.SE/Wardha/Tech/4335 dated 30-06-2013, Shri Netram Vitthalrao Deshmukh (hereinafter referred to as, the applicant ) has presented this grievance application. The applicant contended that the electricity supply to his agricultural pump was discontinued at two instances. He registered the complaints. However the supply was not restored within the specified time. So he is entitle for compensation. Hon'ble Electricity Ombudsman, Nagpur awarded him a compensation of Rs.4800/-. The respondent should have paid the amount immediately. This was not done. On the contrary they

sent the electricity bill and they recovered the bill amount. The applicant requested that the amount may be returned back with interest. 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/Arvi/Tech/3739 dated 11-09-2013. The case was fixed for personal hearing on 23-09-2013. Shri Netram V.Deshmukh, himself was present personally. He presented his case himself. Shri N.V.Gaikwad, Executive Engineer, Arvi and Shri S.M.Wankhade, Assistant Engineer, Karanja were present for the respondent. Both the parties were heard.

4. Shri Netram V.Deshmukh argued that the power supply to his agricultural pump discontinued on 02-10-2012. The respondents kept the complaint book in a shop at village Kajali. However the shop was closed. So he registered the complaint on 08-10-2012 by registered post. The power supply was restored on 09-10-2012. Since the power supply was not restored within time compensation may be awarded to him.

Again the power supply discontinued on 20-10-2012. He registered the complaint on 24-10-2012. The power supply was restored on 25-10-2012. Since the power supply was restored late. A compensation may be awarded to him.

H'ble Electricity Ombudsman, Nagpur in representation no.124 / 2012 decided on 04-03-2013 awarded him a compensation of Rs.4800/-. It was also ordered that the payment was to be made within one month. The payment was not made. On the

contrary the respondent issued the bill of the electricity charges for the month March, 2013 on 25-04-2013. The respondent should have adjusted the compensation amount against this bill. The applicant also made the request to the respondent. However the respondent recovered the bill amount. The applicant deposited the bill vide receipt no.2701729 dated 29-05-2013. The respondent may be directed to return the compensation amount with interest. The applicant lastly requested that he may be awarded the compensation of Rs.5000/- towards mental harassment and Rs.1000/- towards the cost of the instant proceeding.

5. The respondent stated that they got the complaint about the power failure on 08-10-2012. The complaint was attended immediately and the power supply was restored on 09-10-2012. So there is no delay in the restoration of the power supply.

Again the applicant registered the complaint on 24-10-2012. This complaint was also attended immediately and the power supply was restored on 25-10-2012. So there is no delay. The applicant stated that the complaint book was not available as the shop was closed. However the head quarter of the lineman is village Kajali, itself so instead of sending the complaint to Karanja the applicant could have given the complaint to the lineman also. Both the times the complaints were attended as soon as respondents got the information. So the applicant is not entitle for compensation on this count.

It is true that H'ble Electricity Ombudsman awarded him the compensation of Rs.4800/-. It is also true the amount was payable within one month. In fact the amount should have adjusted against a bill of March, 2013. However inadvertently the bill was

issued, without giving due credit of the compensation amount. The applicant deposited the bill amount. Now this amount will be adjusted in the next bill payable by the applicant. As such the applicant is not entitled for any compensation. The application may be dismissed.

6. We have perused the record. We have heard the arguments of both the parties carefully.

Regulation 6.1 of the MERC ((standards of performance of distribution licensees, period for giving supply and determination of compensation) Regulations 2005 reads as under,

*“ 6.1 the distribution licensee shall restore power supply in case of normal fuse off calls within four hours of the receipt of the complaint in towns and cities and within **twenty four hours of the receipt of the complaint** in rural areas “*

In the instant case, as per the applicant the power supply discontinued on 02-10-2012. He registered the complaint on 08-10-2012 and the power supply was restored on 09-10-2012. So it is clear that the respondent restored the power supply within 24 hours after they got the complaint. The applicant could not explain as to why he had not approached the lineman at village Kajali.

Second time also, the applicant registered the complaint on 24-10-2012 and the power supply was restored on 25-10-2012. So the complaint was attended within 24 hours after the receipt of the complaint from the applicant. In view of the aforesaid facts and circumstances, the applicant is not entitled for, any compensation.

It is admitted fact that H'ble Electricity Ombudsman awarded the compensation

of Rs.4800/-. The respondents were duly bound to adjust this amount against the bill of March, 2013. However the respondents have not adjusted this amount eventhough the bill was issued on 13-04-2013. The applicant, due to fear of disconnection deposited the amount on 29-05-2012. Even upto 29-05-2013 the respondents should have adjusted the compensation amount against the electricity bill. The applicant stated that the amount of compensation may be returned to him with interest. The respondents stated that they will adjust the amount against the bill payable by the applicant in future.

On this count the respondents have committed a grave mistake. As per the order of H'ble Electricity Ombudsman, the compensation amount was to be paid within one month. The order is dated 04-03-2013. So the amount became payable on 04-04-2013. The respondents made paper adjustment. However they have also recovered the full amount of the bill. So the request of the applicant on this count is fully justified. He is entitle for compensation amount of Rs.4800/- with interest. So we hereby directed that the respondents should return the amount of Rs.4800/- to the applicant with interest at the current rate of the nationalized banks, within one month from the date of the receipt of this order. In absence of any evidence much less reliable and cogent evidence, we are not inclined to accept other claims of the applicant.

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

**ORDER**

i) Application No.76 of 2013 is partly allowed.

- ii) The respondent MSEDCL is directed to return the amount of Rs.4800/-. The respondent is directed to pay, the interest, at the existing rate of nationalized banks from 29-05-2013 till the date of payment, on this amount.
- iii) No order as to cost..

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

**Sd/-**  
**(Ms.S.B.Chiwande)**  
**MEMBER SECRETARY**

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

**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR**  
**(Nagpur Dtd.23<sup>rd</sup> day of September, 2013)**

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

Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,  
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cgrfnz@gmail.com

**(O) 0712- 2022198**

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NO. CGRF/NZ/

Date :

Certified copy of order dated 23<sup>rd</sup> September,,2013 in Case No.76 / 2013

is enclosed herewith.

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

To,  
Shri Netram Vitthalrao Deshmukh, At.Rahati, Po.Kanjali, Tq.Karanja, 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, Arvi  
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

