

**Before Maharashtra State Electricity Board's
Consumer Grievance Redressal Forum,
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/014/2005

Applicant : Shri Gunwant Ramchandra Bhajipale
At Kharda, Post, Kodamendhi,
Tq. Ramtek, Dist. Nagpur.

Non-Applicant : The Nodal Officer Assistant Engineer
Executive Engineer, MSEB,
O & M Dn. – I, NAGPUR.

Quorum Present : 1) Shri S.D. Jahagirdar, IAS (Retd)
Chairman,
Consumer Grievance Redressal
Forum Nagpur Urban Zone,
Nagpur.

2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum, Nagpur Urban Zone,
Nagpur.

ORDER (Passed on 30.04.2005)

The present application is filed before this Forum in the prescribed schedule "A" on 01.04.2005 as per Regulation No. 6.3 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Ombudsman) Regulations, 2003 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of non-provision of new electricity connection for energisation of his 3 H.P. agricultural pump in the land at village Kharda owned by the applicant.

The matter was heard by us on 26.04.2005 when both the parties were present. Both of them were heard by us. Documents produced by both the parties are also perused by us.

After receipt of the grievance application, the non-applicant was asked to furnish parawise remarks on the applicant's application in terms of Regulation numbers 6.7 and 6.8 of the said Regulations. The non-applicant, accordingly, submitted to this Forum his parawise remarks on 30.04.2005. A copy of this parawise report was given to the applicant on 30.04.2005 before the case was taken up for hearing and opportunity was given to him to present his case on this parawise report also.

It is the contention of the applicant that he owns an agricultural land at village Kharda, Tahsil Ramtek, Dist. Nagpur and he wanted to irrigate his land for which he has already dug a well in his land. He wanted to install an electrical pump on this well for the energisation of which he approached the non-applicant in the year 1999. He further contended that a demand note of Rs. 2020/- was given by the MSEB official on 20.04.1999 for this purpose. Accordingly, he paid this amount on 11.05.1999. He added that despite this position, the electricity connection for his agricultural pump

was not released by the non-applicant although a period of more than five years has elapsed since the date of submission by him of the test report to the MSEB official concerned. He had approached the Internal Grievance Redressal Unit of Nagpur Rural Circle on or about 25.08.2004 and this Unit headed by the Executive Engineer (Adm) heard him on 19.10.2004. At the time of hearing, it was committed by all the MSEB officials that supply of electricity would be commissioned for the applicant's agricultural pump before 31.03.2005. Accordingly, a letter, being letter number 8291 dated 21.10.2004 signed by the Executive Engineer (Adm) and the Head of Internal Grievance Redressal Unit was issued to the applicant. A copy of this letter is produced by the applicant which is among the case papers. The applicant lastly requested that supply of electricity for his agricultural pump be commissioned forth-with.

The non-applicant has admitted in the parawise report dated 29.04.2005 submitted to this Forum on 30.04.2005 that the contentions raised by the applicant are generally correct. According to the non-applicant, the applicant was given the demand note of Rs. 2020/- on 20.04.1999 and the applicant paid the demand note amount on 11.05.1999. The test report was also given by the applicant on 19.11.1999. The non-applicant has further stated that for the purpose of providing electricity to the applicant's agricultural pump in his land, as many as five electricity poles are required to be erected and that the

grievance of the applicant could not be redressed although promised earlier for want of adequate supply of electrical materials like conductor by the MSEB.

We have carefully gone through the entire record of the case, all the documents produced by both the parties as also all the submissions made by both of them before us.

The limited grievance of the applicant is in respect of non-provision of electricity supply for his agricultural pump. There is no dispute that the applicant's grievance is not redressed by the non-applicant even till today. He has already paid the demand note amount of Rs.2020/- way back on 11.05.1999. A test report was also given by the applicant way back on 19.11.1999.

It is pertinent to note that a written commitment was given to the applicant on 21.10.2004 by the Executive Engineer (Adm) and the Internal Grievance Redressal Unit Head to the effect that the complaint of the applicant would be redressed and supply of electricity to the applicant's agricultural pump would be actually commissioned upto 31.03.2005. The Nodal Officer representing the MSEB also admits that such a commitment was given earlier. When questioned as to why then this commitment was not honoured the Nodal Officer forwarded the same reason of non-supply of electricity conductor by the MSEB.

The non-applicant's attention was drawn by us to the provisions of the Maharashtra Electricity Regulatory

Commission (Standards of Performance of Distribution Licensees, Period of Giving Supply and Determination of Compensation) Regulations, 2005 and particularly to the Regulation Number 3 thereof in which specific maximum time limits have been prescribed for providing electricity supply to the electricity consumers. The maximum time-period stipulated in this Regulation for provision of electricity supply is one month in case the electricity connection has to be given from the existing net work. The maximum time period prescribed is of three months where extension or augmentation of distributing main is required. The maximum time period prescribed is of one year where commissioning of a Sub-station is required. The non-applicant was specifically asked by us as to whether, in the instant case, extension or augmentation of distributing main is required. The non-applicant's reply to our query was in the affirmative. This means that the maximum time-period for provision of supply of electricity to the applicant in the instant case is of three months according to the Regulations referred to above. The non-applicant assured us that electricity supply would be made to the applicant's agricultural pump in any case before 30.06.2005. Thereupon, the applicant stated that he is prepared to wait till then. He, however, vehemently contended that the non-applicant should keep up his assurance because the applicant is in dire need of energisation of his agricultural pump before 30.06.2005. While accepting the assurance given by the non-applicant, we caution the Nodal Officer that this

commitment is final unlike the one given earlier failing which legal consequences will follow.

In view of above, we accept the grievance application of the applicant and pass the following order.

The non-applicant shall provide electricity connection to the agricultural pump of the applicant before 30.06.2005 as voluntarily committed failing which legal consequences will follow.

(Smt. Gauri Chandrayan)
MEMBER

(S.D. Jahagirdar)
CHAIRMAN

**M.S.E.B.'S CONSUMER GRIEVANCE REDRESSAL
FORUM, NAGPUR URBAN ZONE, NAGPUR.**