

Maharashtra State Electricity Distribution Co.Ltd.
CONSUMER GRIEVANCE REDRESSAL FORUM
M.S.E.D.C.Ltd. Nagpur ZONE,
“ Prakash Bhavan “ Link Road, Sadar, Nagpur – 440 001

Case No.: CGRF (NZ) 146/2016

Applicant : Shri.Diwakar B Kamadi
At.Waghoda, Po.Nara,
Tq.Karanja, Dist.Wardha

Non Applicant : Nodal Officer,
The Executive Engineer,
M.S.E.D.C.L.O&M Division, Arvi.

Case No.: CGRF (NZ) 147/2016

Applicant : Shri.Premdas R.kamdi
At.Waghoda, Po.Nara,
Tq.Karanja, Dist.Wardha

Non Applicant : Nodal Officer,
The Executive Engineer,
M.S.E.D.C.L.O&M Division, Arvi.

Applicant :- In person.
Respondent by 1) Shri Sudhirkumar Wankhede, DyEE Karanja.

Quorum Present : 1) Shri Shivajirao S. Patil,
Chairman.

2) Shri N.V.Bansod
Member

3) Mrs. V.N.Parihar,
Member, Secretary

COMMON ORDER PASSED ON 05.10.2016.

1. Both these cases are similar and identical therefore it is convenient and

desirous to decide by common judgement.

2. The applicant filed present grievance application before this Forum on 30.08.2016 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

3. According to the applicant his Electricity supply was off during the period 3/9/2014 at 10 PM till 10/9/2014 at 4 PM.

4. No complaint book was maintained in the village. He intimated to MSEDCL on telephone on dated 4/9/2014 but supply was not restored.

5. He sent repeated complaints on 5/9/14, 6/9/14 and 10/9/14. When he found that supply is restored on 10/9/14 he inform to MSEDCL by letter on 11/9/14 that supply is restored on 10/9/14.

6. He filled application for compensation to MSEDCL to grant compensation according to SOP but MSEDCL did not sent any reply.

7. Therefore applicant claimed compensation according to MERC's SOP Regulation

8. Non-applicant, denied applicant's case by filling reply dated 01-10-2016. It is submitted that for the first time written complaint is submitted by the applicant on dated 5/9/14, on the same day it was intimated to Assistant Engineer by telephone to restore the supply.

Written letter dated 8/9/14 was sent to Assistant Engineer Karanja -1 for restoration of supply. Letter is received from Karanja -1 dated 11/9/14 that supply was restored on dated 6/9/14 AN.

9. Supply was restored within time therefore applicant is not entitled for any compensation.

10. On the date of hearing Nodal officer Executive Engineer Shri.N.V.Gaikwad O&M Division Arvi was absent. It is Duty of Nodal Officer to remain present at the time of hearing and to protect legal and valuable interest of MSEDCL.

If Nodal officer is busy in any other work, equally important, in that case, he can apply for adjournment. In this case Nodal office had not shown any sufficient reason as to why he is absent before the forum and in what important work, he was busy.

Therefore it appears that Nodal Officer Shri.N.V.Gaikwad Executive Engineer O&M Division Arvi appears to be negligent.

11. Forum heard argument of applicant side and argument of Shri. Sudhirkumar Wankhede, Dy.Executive Engineer Karanja (Ghadge) for MSEDCL and pursued the record.

12. Applicant had produced copies of all letter correspondence. Dy.Executive Engineer, Karanja (Ghadge) frankly admitted before the forum that at the time of incident dated 3/9/14 no complaint book was kept in the village to register complaint of the consumer. In our opinion it is not proper.

In 2014 there was practice to maintain complaint book in the village panchayat of the village to register complaint of electrical consumers but no register was maintained.

Therefore there was negligence of concern officer of the MSEDCL is not maintaining complaint book in village Waghoda, taluka Karanja(Ghadge), District Wardha in the year 2014.

13. According to the applicant the supply of applicant was disconnected on 3/9/14 at 10PM. As there was no complaint book, he informed to concern officer on telephone

dated 4/9/14 even then supply was not restored. Therefore he sent written complaint dated 5/9/14, 6/9/14 and 10/9/14.

14. After sending written complaint on 10/9/14 when he realized that supply was restored on 10/9/14 at 4 PM then he intimated the fact to MSEDCL on 11/9/14 by written letter All these letters of the applicant are on record and fully corroborates case of the applicants.

15. MSEDCL also produced some letter correspondence issued by them. It is noteworthy that though there was written complaint of the applicant dated 5/9/14 even then till 8/9/14 officers of MSEDCL did nothing. For the first time Dy.Executive Engineer Karanja (Ghadge) sub division issued letter dated 8/9/14 to Assistant Engineer Karanja DC-1 that he received the complaint of the applicant dated 5/9/14 about failure of supply even then till 8/9/14 officers of MSEDCL did nothing and they unnecessary wasted 3 days i.e. till 8/9/14 i.e. till issuance of first letter of dated 8/9/14 to Assistant Engineer Karanja DC-1. It is negligence.

16. Secondly there was letter of Dy.Executive Engineer O&M Sub Division Karanja(Ghadge) addressed to the applicant dated 16/9/14 sent by RPAD on record and in this letter it is specifically informed to the applicant that supply is restored and reconnected on 10/9/14.

Believing this letter of Dy.Executive Engineer O&M Sub Division Karanja(Ghadge) dated 16/9/14 we hold that electricity supply of the applicant was restored on 10-09-2014 at 4 PM.

Supply was disconnected on 3/9/14 on 10 AM. There was no complaint book in the village maintained by MSEDCL. In spite of telephonic communication and several

letters sent by the applicant supply was not restored till 10/9/14 at 4 PM.

Supply was disconnected on 3/9/14 at 10 AM. According to MERC's SOP Regulation Period for Giving Supply and Determination of Compensation Regulations, 2014 Appendix "A", Part 2 period for restoration of supply in Rural Area is 18 hours and compensation payable is Rs.50/- per hour or part thereof delay.

Supply was disconnected on 3/9/14 at 10 AM and period of 18 hours stipulated for restoration of supply came to an end on 4/9/14 at 4 AM. Therefore it was necessary for officers of MSEDCL to restore the supply on or before 4/9/14 at 4 AM but supply was restored very late negligently on 10/9/14 at 4 PM.

17. Therefore applicant is entitled for compensation for delay period i.e. since 4/9/14 at 4 AM till 10/9/14 at 4 PM @ Rs.50/- per hour according to Appendix "A" Part 2 of MERC's SOP Regulation.

18. MSEDCL is at liberty to pay this compensation either from themselves or may deduct it from the salary of concern officer of MSEDCL who was negligent in restoration of supply.

19. Hence Forum proceed to pass the following order.

ORDER

1. Case No.146/16 and 147/16 are allowed.
2. Non applicant MSEDCL is directed to pay compensation to the applicant for delay in restoration of supply for the period 4/9/14 at 4 AM till 10/9/14 at 4 PM @ Rs.50/- per hour according to Appendix "A" to the MERC's SOP Regulation 2014.

3. MSEDCL is at liberty to pay this compensation to the applicant by themselves or may deduct it from the salary of the concern negligent officer of MSEDCL and shall pay it to the applicant.
4. Nodal Officer Executive Engineer O&M Division MSEDCL Arvi is directed to remain present before this forum on date of hearing in future, failing which matter may be reported to his superior Officer.
5. Non applicant is directed to comply within 30 days from the date of receipt of this order.

Sd/-

(N.V.Bansod)
MEMBER

sd/-

(Mrs.V.N.Parihar)
MEMBER/SECRETARY

sd/-

(Shivajirao S. Patil),
CHAIRMAN