

**Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redresses Forum
Nagpur Zone, Nagpur**

Case No. CGRF(NZ)/64/2018

Applicant : Shri Santosh Rajeramji Kolhe,
Velgaon, Tah - Kuhi,
37, Shyam Nagar, Jaihind Co-op. Society,
Beltarodi Road, Manish Nagar,
Nagpur.

Non-applicant : Nodal Officer,
The Executive Engineer,
Division No. 1, MSEDCL,
Nagpur.

Applicant represented by : 1) Shri Santosh R. Kolhe,

Non-applicant represented by: 1) Shri P. N. Lande, Exe. Engineer, MSEDCL.
2) Shri R. S. Parhadkar, Dy.E.E., MSEDCL.

Quorum Present : 1) Shri Vishnu S. Bute,
Chairman.
2) Mrs. V.N.Parihar,
Member Secretary.

ORDER PASSED ON 29.06.2018

The applicant presented this application feeling aggrieved by the order passed by the IGRC NRC in case no. 63/2017.18 on 19.04.2018. the applicant applied for Ag. Connection. The connection is not yet released. The applicant prayed that he may be given a connection immediately. Secondly he may be awarded compensation as the connection is not released to him within the stipulated period.

The respondent submitted reply under no. EE/NRDn.1/Tech/2871 dt. 8. 6.2018. The case was fixed for personal hearing on 28.6.2018. Both the parties were present. They were heard.

A representative of the applicant argued that the applicant submitted an application on 20.05.2017. He deposited the amount on 01.09.2017. He submitted the test report on 5.9.2017. However the respondent have not released the Ag. Connection till today.

The applicant prayed that (1) he may be given a compensation as the connection is not released within a stipulated period. (2) the respondent may be directed to release the connection immediately (3) as per the requirement of the respondent the applicant fixed the pump and all installation on the tube well. However the respondent have not released the connection. Somebody took away some parts of the installation. The respondent may be directed to give compensation therefor (4) due to non release of the connection the applicant has to suffer physical and mental harassment. A compensation may be awarded therefor.

In reply Shri Lande, Executive Engineer, stated that the dates mentioned by the applicant are correct. It is also true that the connection is not released till today. However as there is no compliance of the provision of Regulation 12.2 a compensation cannot be given to him.

Secondly as per the provision of the SOP 2014 the connections are to be released as per the chronological order of the receipt of applications. So the applicant cannot be given a connection keeping aside the seniority list.

The applicant is not entitle for any compensation.

He further stated that a representative of the respondent visited the place of proposed connection to check the installation on 2.6.2018. However there was no installation. So it is clear that the applicant produced bogus test report. The test report was cancelled. The applicant was informed accordingly.

The respondent requested that the application may be dismissed.

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

The applicant demanded for compensation for non release of connection within a stipulated period.

The application was complete in all respect on 5.9.2017 (the date of submission of test report). To release the connection to the applicant extension to LT line admeasuring 0.42 KM is necessary. So as per the provisions of Regulation 4.8 of 2014 Regulations the applicant was entitled for connection within a period of three(3) months. That is to say on or before 04.12.2017. However the connection is not released till today.

Provisions about determination of compensation are contained in Regulation 12 of the 2014 Regulation. Regulation 12.2 reads as under,

12.2 The Distribution Licensee.....

Provided that any person who is affected by the failure of the Distribution Licensee to meet the standards of performance specified under these Regulations and who seeks to claim compensation shall file his claim with such a Distribution Licensee within a maximum period of sixty(60) days

from the time such a person is affected by such failure of the Distribution Licensee to meet the standards of performance.

In view of the above provision the applicant should have approached the Distribution Licensee for compensation within 60 days. That is on or before 3.2.2017.

However the applicant presented the application to the IGRC and claimed compensation on 12.02.2018.

As such we are of the opinion that the applicant failed to comply the provisions of Regulation 12.2. So his claim for compensation cannot be accepted.

The applicant also claim the connection on priority, keeping aside the seniority list.

Regulation 4.1 of the 2014 Regulation reads as under,

4.1 The Distribution Licensee shall on an application made by post or by hand by the owner or occupier of any premises, give supply of electricity to such premises after receipt of the application by chronological order of receipt of its complete application requiring such supply.

In view of the above provision the request the applicant is not acceptable.

The applicant also claimed compensation of some parts of installation taken away by somebody.

In absence of any cogent evidence the request is not acceptable.

The applicant also claimed compensation for physical and mental harassment.

The respondent say that the connection are released as per the orders of the superior authorities and the availability of funds.

We think the submission of the respondent is convincing.

In view of the above discussion we find no force in the application. So it is dismissed.

At the same time we make one point clear here. The respondent visited the agricultural land of the applicant on 2.6.2018. They found some installation missing therefrom. So they cancelled the test report.

On careful consideration of the facts it reveal that the test report is dated 5.9.1017. The representative visited the land on 2.6.2018 i.e. after about 9 months. As per the applicant some parts of the installation were taken away during this period.

Now the name of the applicant is entered at S. No. 244 of the paid pending list. We direct the respondents that his name from S. No. 244 should not be disturbed any way. Whenever the respondent will take the work of release of connection in hand, they will give written intimation to the applicant and get the electrical installation done properly.

So we pass the following order,

ORDER

1. Application no. 64/2018 is dismissed.

Sd/-
Mrs.V.N.Parihar
MEMBER SECRETARY

Sd/-
Vishnu S. Bute
Chairman