

**CONSUMER GRIEVANCE REDRESSAL FORUM**  
**AMRAVATI ZONE, AMRAVATI**  
'Vidyut Bhavan', Shivaji Nagar, Amravati: 444603, Tel. No. 0721 2551158

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**Dt. 11.10.18**

**ORDER**

**Case No. 24/2018**

**In the matter of grievance pertaining to release of new connection.**

**Quorum**

Dr. Vishram Nilkanth Bapat  
Miss.M.H.Ade, Member Secretary  
Sau. Sushama Joshi, Member (CPO)

**Complainant**

M/s Rajlaxmi Food & Spices ,  
C-157,MIDC,Yavatmal.  
**Con no:370014031512**

**Versus**

**Respondent**

The Executiver Engineer ,  
MSEDCL, O&M Dn, Yavatmal.

**Appearances:-**

**Complainant Representative:-** Shri. Ashish Subhash Chandarana.

**Respondent Representative:-** Shri S.N.Shrungare , Add Executive Engineer  
O&M Urban Sub Dn, Yavatmal..

Being aggrieved by IGRC, Yavatmal's Order Dt. 10.07.18, applicant approached to CGRF, Amravati for redressal of his complaint on Dt 13.08.18 and filed his complaint as Case No 24/2018.

**The complainant submits his grievance as under :-**

The Grievance of consumer is related to getting new connection to M/S Rajlaxmi Food and Spices at C-157, MIDC, Yavatmal, upon payment of charges as per approved schedule of charges within stipulated time frame as per the provisions of supply code 2005 and SoP Regulations 2014.

The details of the submission made by the complainant is as below:

<p><b>21.04.2018</b></p>	<p>Applicant Consumer submitted A-1 form along with all required documents mentioning therein need under NON DDF category on 21.04.2018. The complainant had requested for supply in phases initially 10 KW for construction till one year and later on for regular load of 150 KW.</p>
	<p>As per Commercial Circular No. 240, which was also annexed to application, It was duty of concerned officers to,</p> <ul style="list-style-type: none"> <li>a) Inspect the site within 3 days from 21.04.2018</li> <li>b) Load and Estimate sanction and issue of demand note within 10 days from 21.04.2018</li> <li>c) Execution of Work within 15 days from the date of payment &amp; compliance from applicant i.e. from 27.07.2018</li> </ul>
<p>24.05.2018</p>	<p>Complainant approached IGRC since nothing out of the tasks mentioned above had been done by N.A. MSEDCL.</p>
<p>10.07.2018</p>	<p>IGRC directed N.A. MSEDCL to contact consumer and get formalities completed and issue demand note within SOP time limit.</p>
<p>13.07.2018</p>	<p>MSEDCL sent a letter seeking lease documents for installation of 315 KVA transformer though it was not required as such because the land is located at MIDC wherein dedicated corridor for laying electrical infrastructure is already kept reserved as per DC rules of MIDC.</p>

14.07.2018	Applicant telephonically apprised officers that since the DTC proposed is not inside the plot of applicant, no question of lease deed arise at all. Further MIDC land is itself a lease land.
18.07.2018	MSEDCL issued a quotation for Rs. 216730.00.
23.07.2018	Applicant Received Load sanction Letter dated 18.07.2018 on 23.07.2018.
26.07.2018	The aforesaid demand note was received on 20 July 2018 & paid on 26.07.2018.
27.07.2018	Though A-1 form have specific mention of application under NON DDF, and estimate is also sanctioned under Non DDF, load sanction letter have mention of DDF which is incorrect. Therefore a request for rectifying the same is made on 27.07.2018 .
08.08.2018	Since the payment was made on 26.07.2018, the work for releasing connection was supposed to be completed by 10.08.2018. However, there is no progress seen at site.

1. SOP Regulations and subsequent guidelines issued by GOM vide its letter dated 08.01.2015, it was mandatory on part of non-applicant to finish the work of required infrastructure by 08.08.2018
2. Also MSEDCL has not mentioned phase wise release in its load sanction letter & IGRC has not awarded any compensation for delay in processing of application.

**Prayer of the Complainant:**

1. Direct MSEDCL to release the supply in phased manner within 15 days.
- 2 Direct MSEDCL to pay SOP Compensation for delay in inspection, delay in giving demand note & delay in release of connection .
3. Any other relief which Hon'ble CGRF may deem fit considering the facts and circumstances of the case.

### **Reply filed by NA MSEDCL before the Forum:**

- 1) At the outset NA MSEDCL submits that, the entire complaint is premature since the work of giving connection entails the work of erection of Line and 315 KVA transformer which comes under extension or augmentation of Distribution Network as per Commercial Circular No.240 dated 2/05/2015 and the time in which the same is to be performed/erected is 90 days and not 30 days as per submission on behalf of Complainant. 30 days SOP time is prescribed in case where the connection is on the existing line/network. The Commercial Circular No.240 dt 02/05/2015 is totally mis-interpreted by the complainant and the complaint before this Forum is totally premature and the cause of action is yet to arrive and the same will arrive after lapse of 90 days from 27/07/2018.
- 2) Therefore NA MSEDCL specifically submits that on completion of the work entailed and after due necessary permissions the connection will be given to the complainant.

### **Submission during the hearing:**

#### **By the Applicant:**

NA. MSEDCL vide its reply submitted that the complaint is premature is incorrect. The Commercial Circular No. 240 have references of SOP Regulations and directives of Secretary and development commissioner industries letter dated 08.01.2015..

Accordingly detailed discussion of existing as well as revised time limits is discussed therein which is as hereunder:-

**SOP A-** Existing Network existing time limit 30 days revised time limit Total 15 days

**SOP B -** Extension or augmentation of distribution Network existing time limit 90

days revised time limit . Total 30 days .

**SOP C-** Commissioning of new sub - station existing time limit 365 days Revised time limit. Total 196 days

#### **By the N.A.MSEDCL.**

N.A. MSEDCL has verbally accepted to release the connection within two months from the date of hearing i.e by 27.11.18. The complainant agreed verbally to this time period before the forum during hearing.

The Forum heard both the parties and considering the records placed before it, the Forum is of the view that:

1. The NA MSEDCL should provide the electric power connection to the complainant as per his demand in phased manner in minimum reasonable time of 2 months from the date of this order as agreed by both parties during hearing.
2. In view of the guidelines issued by N.A.MSEDCL vide circular no 240 dated 02.05.15 ( based on the directives of GOM letter dated 08.01.2015) the NA MSEDCL should have,
  - a. Inspected the site within 3 days from the date of application i.e by 24.04.18.
  - b. Sanctioned the estimate and issued the demand note within 10 days from the date of application i.e by 01.05.18.
  - c. Released the supply to the complainant within 30 days i.e by 21.05.18 wherein extension or augmentation of the distribution network is required.
3. NA MSEDCL issued Load sanction letter dated 18-7-2018 and also issued demand note on date 20.07.18. Thus as per revised SOP guidelines under N.A. MSEDCL Circular No. 240 dated 2-5-2015, total delay of 79 days has occurred on the part of NA MSEDCL in issuing demand note. There is no record placed before the forum by the respondent as to when was the inspection carried out. The Forum therefore assumes that the inspection was carried out 10 days prior to the date of issue of demand note. The Forum feels that as the circular 240 is enforced to provide power supply even before the stipulated period ( as per MERC SOP Regulations 2014), the compensation for delay in carrying out different activities related to release of power supply is to be determined in accordance with the stipulated time period as per MERC SOP Regulations 2014. Therefore the delay for inspection is calculated to be 65 days (over 9 weeks) and that for issue of demand note is calculated to be 74 days (over 10 weeks).

The complainant paid the charges as per demand note on 27-7-2018. Thus the delay in provision of supply is to be calculated from 28-7-2018 till the date of actual connection. The SOP compensation in this behalf is to be however granted with reference to MERC SOP Regulations 2014.

Hence the Forum passes the following unanimous order.

1. The complaint No. 24/2018 is partly allowed.
2. N.A. MSEDCL is directed to release the connection to the complainant as per his demand in phased manner within 2 months from the date of issue of this order.

3. N.A. MSEDCL is directed to pay SOP compensation of Rs. 1000/- against delay in inspection, Rs. 1100/- against delay in issue of demand note and SOP compensation at Rs. 100 per week for the period exceeding 75 days from 28-7-2018 up to the date of actual release of connection. The amount of the SOP compensation so paid to the complainant be recovered from the concerned erring officer of NA MSEDCL after due enquiry.
4. No order as to cost.
5. N.A. MSEDCL is directed to submit compliance of this order within 2 months from the date of this order.

Sd/-  
M.H.Ade)  
Member Secretary

Sd/-  
(Smt. S.P.Joshi)  
Member (CPO)

Sd/-  
(Dr.V.N.Bapat)  
Chairman

Contact details of Electricity Ombudsman appointed under regulation 10 of MERC(CGRF & EO) REGULATIONS 2006:

THE ELECTRICITY OMBUDSMAN,  
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