

**CONSUMER GRIEVANCE REDRESSAL FORUM,**  
**AKOLA ZONE, AKOLA.**

*“Vidyut Bhavan” Ratanlal Plot ,Akola. Tel No 0724.2434475*

**O R D E R** Dt:- **11.12.2018**

**Complaint No: - 52/2018**

**In the matter of grievance pertaining to New Connection and SOP compensation for delay.**

**Quorum**

**Dr.V.N.Bapat- Chairman**

**Shri.D.M.Deshpande, Member (CPO)**

**Shri. R.A.Ramteke, Member – Secretary**

1. M/s Wasim Oil Mill and Ginning :- Complainant  
Pressing, Plot No. C-12, MIDC  
Murtizapur.  
% shri Ashish Chandarana  
302, satguru villa apartment  
Sahkar Nagar, Gorakshan Road,  
Akola 444004.

**....Vrs.....**

Executive Engineer , :- Respondent  
MSEDCL, O&M Akola Rural  
Division, Gorakshan Road, Akola.

**Appearances**

1. Shri Ashish S. Chandarana - Representative for Complainant  
2. Shri. P. N.Fulzele - Deputy Executive Engineer  
For respondent MSEDCL

1) On being aggrieved by the fact that IGRC Akola did not decide the complaint filed on 01/09/2018 as no communication to complainant within two months, the complainant M/s Wasim Oil Mill and Ginning pressing, MIDC Murtizapur, approached this Forum through their authorised representative, Shri. Ashish S. Chandarana under section 6.4 of MERC [CGRF and OMBUDSMAN] Regulation 2006 for resolving the grievance.

2) In brief, complainant is applicant for new industrial connection to their industry at MIDC Murtizapur having applied to N.A. MSEDCL on 04/07/2018. According to complainant payment advice towards payment of necessary charges is received on 31/07/2018 and paid on 31/07/2018. According to complainant, it was obligatory on the part of N.A. MSEDCL as per commercial circular No. 240 dated 02/05/2015 to inspect site within 3 days, to issue demand note within 10 days of inspection, to execute the infrastructure work thereafter within 15 days and thereafter release connection within 2 days and thus electricity supply should have been released within 30 days of application. According to complainant as N.A. MSEDCL failed in their obligation to abide by stipulated time period for any of the above activities, he approached IGRC Akola and IGRC Akola directed N.A. MSEDCL to release connection immediately. As IGRC order dated 12/10/2018 is not complied and connection is not released the complaint is filed before CGRF Akola and complainant prays for release of connection within 15 days, with Sop compensation for delay in inspection, issue of quotation and release of connection. Complainant annexed copy of A1 form, firm quotation, paid receipts and IGRC order dated 12/10/2018 along with the complaint.

3) Reply came to be filed by N.A. MSEDCL on 16/11/2018. According to N.A. MSEDCL it is fact on record that complainant has applied for industrial connection on 05/07/2018 and paid the necessary charges on 31/07/2018 after issue of firm quotation on 27/07/2018. According to N.A. MSEDCL infrastructure of 200 KVA transformer with 0.56 km of H.T. line is required to be executed for releasing the connection. According to N.A. MSEDCL the matter has been intimated to Superintending Engineer Akola for appointment of electrical contractor for execution of infrastructure work. According to N.A. MSEDCL the directives given by corporate office regarding new connection and execution of infrastructure work vide circular No 10992 are deferred till 31/12/2018 vide circular No. CE/Dist/D III/Infra/Div/26068 dated 31/10/2018 and thereafter the work will be executed and connection can be released. According

to N.A. MSEDCL as they have followed the directives given by corporate office vide circular No. 10992 dated 15/05/2018, the request of complainant towards Sop compensation should not be accepted by the Forum. N.A. MSEDCL annexed copy of CE/Dist/26088 dated 31/10/2018, CE/Dist/23264 dated 29/09/2018, and co-ord/cell/make in india/21283 dated 02/05/2015 [ commercial circular No. 240], along with the reply.

4) Shri Ashish S. Chandarana learned representative for complainant and Shri P.R.Fulzele Dy. Executive Engineer, MSEDCL were present for the hearing held on 27/11/2018. Shri Ashish S. Chandarana learned representative for complainant reiterated the grievance on record and urged that N.A. MSEDCL have violated their own commercial circular No 240 and not released connections to entrepreneurs defeating the very purpose of issuing circular to promote 'Make in India', and requested Forum to direct N.A. MSEDCL to release connection within 15 days. Shri Ashish S. Chandarana shown his willingness to withdraw the claim for Sop Compensation for inspection and quotation, if electric supply is released within 15 days. Shri Ashish Chandarana brought to the notice of Forum that even departmental circulars referred in defense are not complied by N.A. MSEDCL and requested Forum to settle the grievance of electric supply with Sop compensation for delay in releasing the connection.

5) Shri P.N. Fulzele, Dy. Executive Engineer Learned representative for N.A. MSEDCL referred circulars dated 29/09/2018 and 31/10/2018 and urged that guidelines issued by Chief Engineer (Distribution) for infrastructure development to release new connection issued vide circular No. 10992 dated 15/05/2018 have been deferred for its implementation till 31st December 2018 and confirmed that new connection to complainant's industry can only be released after 31/12/2018. On being asked by Forum to comment on directives issued by their corporate office vide commercial circular No. 240 dated 02/05/2015, Shri P. N. Fulzele, Dy. Executive Engineer, MSEDCL preferred to remain silent.

6) Having heard the parties and considering the material placed on record, Forum is of the view that duty to supply electricity on application by owner or occupier within one month is casted on distribution licensee by section 43 of E.A.2003, which further provides for specifying time period by the appropriate commission, where such supply requires extension of

distribution mains or commissioning of new substation. Accordingly the time period of three month, where extension of distribution mains is required, is provided in supply code regulation 2005 read with Sop regulation 2014. Forum is of the view that corporate office of MSEDCL have gone further, in the endeavor to provide power supply even before the stipulated period, so as to provide more expeditious service to consumer and to improve ease of doing business to promote ' Make in India' and brought down the period to one month, where infrastructure needs to be executed by issuing commercial circular No. 240 dated 02/05/2015 to field staff of MSEDCL which in the opinion of Forum is legal, lawful and binding on MSEDCL staff to implement it. N.A. MSEDCL instead of implementing their own circular No. 240 to release connection within one month is trying to defend the complaint on the basis of circular issued by distribution section of the corporate office of the MSEDCL, which in the opinion of the Forum is unlawful and against the provision of section 43 of EA 2003 read with supply code regulation 2005 and Sop regulation 2014. Forum expresses deep concern for lack of coordination between two sections of corporate office of MSEDCL as two contradictory directives for releasing new connection are issued by C.E.(Distribution) and C.E.(commercial) and field staff including N.A. MSEDCL taking selective defense. Forum is of the view that N.A. MSEDCL should release new connection of complainant within 15 days of this order as all formalities are completed by complainants. Forum is of the view that complainant is not entitled for Sop compensation for inspection and quotation, as no documents to show that claim has been registered with MSEDCL has been filed on record. Forum is of the view that though MSEDCL by issuing circular, have curtailed the period of giving connection to one month, complainant is entitled for Sop compensation for delay in releasing connections only after three months of completed application as per Sop regulation 2014. The grievance of Sop compensation is not constituted at this stage and complainant's are not entitled for Sop compensation or delay in releasing the connection.

With these observation Forum proceeds to pass following unanimous order.

**ORDER**

1. That the Complaint No. 52 of 2018 is hereby partly allowed.
2. That N.A. MSEDCL is directed to release new electric connection to the industrial premises of complainant within 15 days of this order.
3. No order as to the cost.
4. That N.A. MSEDCL is directed to submit the compliance report to this Forum within one month.

S/d/-  
Member Secretary

S/d/-  
Member (CPO)

S/d/-  
Chairman

Contact details of Electricity Ombudsman appointed by MERC (CGRF&EO)  
Regulations 2006 under Regulation 10:

THE ELECTRICITY OMBUDSMAN,  
Office of Electricity Ombudsman (Nagpur)  
Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,  
Nagpur-440 013.Phone:- 0712-2596670

No. CGRF/AKZ/Akola/394

Dt: 11.12.2018

To,  
The Nodal Officers  
Executive Engineer Rural  
MSEDCL O&M,  
Rural Division, Akola.

The order passed on 11.12.2018 in the Complaint No. 52/2018 is enclosed herewith for further compliance and necessary action.

Secretary,  
Consumer Grievance Redressal Forum,  
MSEDCL, Akola Zone, Akola.

Copy to :-1) Superintending Engineer MSEDCL, O&M Circle, Akola.  
2) M/s Wasim Oil Mill and Ginning Pressing plot No. C-12 MIDC  
Murtizapur % shri Ashish Chandarana 302 satguru villa  
apartment Sahkar Nagar, Gorakshan Road Akola 444004.

