

CONSUMER GRIEVANCE REDRESSAL FORUM  
M.S.E.D.C.L., PUNE ZONE, PUNE

Case No. 57/2018

Date of Grievance : 12.12.18

Hearing Date : 29.01.19

Date of Order : 08.03.19

**In the matter of delay of shifting of residential connection and SOP compensation applicable.**

Shri.Navnath Haribhau Pansare, ---- APPELLANT

AT Post- Bahul, Tal. Khed,

Dist. - Pune -410501.

(Consumer No. 17655153454)

VS

The Executive Engineer, ---- RESPONDENT

M.S.E.D.C.Ltd.,

Rajgurunagar Division,

Pune.

Present during the hearing:-

**A] - On behalf of CGRF, Pune Zone, Pune.**

- 1) Shri. A.P. Bhavathankar, Chairman, CGRF, PZ, Pune
- 2) Mrs. B.S. Savant, Member Secretary, CGRF, PZ, Pune
- 3) Mr. Anil Joshi, Member, CGRF, PZ, Pune.

**B] - On behalf of Appellant**

- 1) Mr. Navnath Pansare

**C] - On behalf of Respondent**

- 1) Mr.D.K.Kulkarni, Dy.Manager, Rajgurunagar Dn.
- 2) Mr.S.F.Taksande, AE, Bhose Section.
- 2) Mr.C.S.Mohare, AA, Chakan S/dn.

Consumer No. 17655153454, B.U.No.4700. Complaint about not shifting residential connection to Gaothan feeder and claimed of SOP breach against Utility. The above named consumer filed complaint in Form No. X before IGRC on dtd.27.6.2017. Brief say of the consumer is there is gaothan

feeder since 2005 but consumer did not get connection from the Gaothan feeder and consumer was providing 200 ft. service cable for getting the connection and the cable was laid down. Consumer requested to install 2 nos. of poles for getting connection through Gaothan feeder and he was made the application.

According to consumer the propose work to shifting of the connection is not completed within stipulated period of 1 month from the date of application and therefore Respondent Utility committed breach of SOP for not giving connection through Gaothan feeder within stipulated time. Therefore consumer prays for receiving compensation for breach of SOP on dated 19.8.2017. IGRC gave opportunity for hearing to the consumer and Respondent Utility on dated 25.7.2017, IGRC passed order directing Utility to carry out survey of whole village and the related work for release of the residential connections through Gaothan feeder should be get sanctioned under appropriate scheme and the consumer should be given supply for Residential consumer through gaothan feeder and shift the consumer connections accordingly within one month from the date of issuing the said order by IGRC. After reviving the said order consumer being dissatisfied and noncompliance of the order approached to the Forum and filed compliant on 5.12.2018.

The office registered the case vide Case No.57 of 2018 and notice was issued to the Respondent Utility by this office on 12.12.2018 directing to file the reply on or before 26.12.2018 and attend the hearing on 29.01.2019. After receiving the said notice Respondent Utility appeared and filed reply on dated 29.01.2019 i.e. on the hearing date. The Respondent Utility submitted on 17.01.2019 that LT connection from nearby pole via service wire as per norms but now consumer is insisting to lay the pole and conductor for his connection. Respondent Utility submitted that the consumer have no problem since the date of connection about their connection and also get the uninterrupted power supply and enjoying by the consumer. The contention of the consumer demanded to release the supply by erecting of new pole according to plan of the DPDC scheme. The work is already in progress but due to insufficient of the funds the work is still not completed. The issue referred to higher authority to carry out the

said work as early as possible. The proposed work shall be taken up in the next year under DPDC Scheme and after receiving of the funds. Therefore contention of the consumer is not tenable there is no breach of SOP hence consumer complaint is liable to be dismissed with cost.

After perusing of the rival contention of consumer and the Respondent Utility following points arose for my consideration to which I have recorded my findings to the points for the reason given below :-

**Reasons:-**

I have perused contention of the consumer order of IGRC in case No.15 of 2017 dated 19.8.2017. I have perused the reply of the Utility it appears that the consumer insisting to lay the 2 Nos. of pole for getting connection from gaothan feeder and the said connection already in existence. The consumers pray for breach of SOP delay inordinately caused in giving supply to his residential connection as he prays.

On perusal of IGRC order it appears that the said order is without any given in details of the status of the scheme in vicinity of Residential connection is in existence. Therefore consumer insists to lay 2 nos. of poles for getting connection to gaothan feeder. According to Utility, the said work is in progress but due to insufficient of DPDC funds the work was not completed under this scheme and not within stipulated period. However during the hearing Respondent Utility official directed to complete the work on or before 31<sup>st</sup> March 2019 and to give priority for release of residential connection through gaothan feeder. In spite of that the Respondent Utility forwarded email reply giving assurance to complete the work in the month of Feb.-2019 within stipulated period. As assurance given by the Respondent Utility official but at the time of passing this final order this issue whether consumer can insists the Respondent Utility to lay down the 2 nos. of poles at the vicinity for getting supply for residential connection through connecting the gaothan feeder and whether the consumer can claimed any compensation for breach of SOP. Noncompliance of work within stipulated time by Act of Utility. I have recently gone through the order passed by MERC in Case No. 06 of 2019 in which the application of SOP breach of compensation is not available due to the funds related scheme and delay

caused fall under compliance of breach of SOP and to claimed compensation. In this case I feel there is no necessity to involve the issue of breach of SOP and give sufficient lack of reasons to claimed compensation to the consumer. As the DPDC scheme related to funds availability and delay due to insufficient of funds which is not in the control of Utility. In this circumstance, I am not inclined to grant any compensation to the consumer for breach of SOP intentionally caused by Utility. Hence consumer complaint liable to be dismissed in peculiar circumstances assurances given by Utility to complete the work within stipulated time of 3 months and hence no need for further order.

The Forum has instructed to submit the relevant documents during the hearing & also through E-mail dated 30.01.2019 & 15.02.2019 but the Respondent Utility is not submitted yet & hence the time limit of 60 days prescribed for disposal of the grievance could not be adhered. Hence I am not inclined to allow the consumer complaint and proceed to pass the following order:

### **ORDER**

1. Consumer Complaint of Case No.57 of 2018 is disposed off.
2. The Licensee is directed to report the compliance within one month from the date of this order.

The order is issued under the seal of Consumer Grievance Redressal Forum M.S.E.D.C. Ltd., Pune Urban Zone, Pune on 8<sup>th</sup> March - 2019.

#### **Note:-**

- 1) If Consumer is not satisfied with the decision, he may file representative within 60 days from date of receipt of this order to the Electricity Ombudsman in attached "Form B".

Address of the Ombudsman  
The Electricity Ombudsman,  
Maharashtra Electricity Regulatory Commission,  
606, Keshav Building,  
Bandra - Kurla Complex, Bandra (E),  
Mumbai - 400 051.

- 2) If utility is not satisfied with order, it may file representation before the Hon. High Court within 60 days from receipt of the order.

I agree / ~~Disagree~~

Sd/-

ANIL JOSHI  
MEMBER  
CGRF:PZ:PUNE

Sd/-

A.P.BHAVTHANKAR  
CHAIRPERSON  
CGRF: PZ:PUNE

I agree / ~~Disagree~~

Sd/-

BEENA SAVANT  
MEMBER- SECRETARY  
CGRF:PZ:PUNE