

CONSUMER GRIEVANCE REDRESSAL FORUM,
AKOLA ZONE, AKOLA.

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

ORDER

Dt:- 01.07.2019

Complaint No :- 22 of 2019 Dated 04.05.2019

In the matter of grievance pertaining to load enhancement and SOP Compensation for delay.

Quorum

Dr.V.N.Bapat- Chairman

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

1. Shri. Vijaykumar Tahkurdas Nagwani :- Complainant
Prop. Ravi Packaging Akola
Consumer no. LTV-310242004131
Plot No-N/140 MIDC Phase-4 Akola
c/o Shri Ashish S. Chandarana ,
flat no. 302, Satguru villa apartment
Sahkar nagar Gorakshan Road
Akola-444004.

.....Vrs.....

Executive Engineer, :- Respondent
MSEDCL, O. & M.
Urban Division Akola.

Appearances

1. Shri. Ashish S. Chandarana - Representative for Complainant
2. Shri. P. R. Dani - Executive Engineer, MSEDCL,
O. & M. Urban Division Akola.

1) On being aggrieved by the fact of not providing any remedy by IGRC Akola on grievance complaint dated 14.02.2019, complainant proprietor M/S Ravi Packaging Akola approached this Forum under section 6.4 of MERC CGRF and OMBUDSMAN Regulation 2006 for resolving the grievance.

2) Complainant's case in brief is that

- a. Complainant is industrial consumer of NA MSEDCL at MIDC Akola with existing sanctioned load of 107 HP.
- b. Complainant applied for load enhancement from 107 HP to 201 HP on 20.01.2019 to NA MSEDCL which is acknowledged by MSEDCL on 20.01.2019.
- c. According to complainant NA MSEDCL issued commercial circular no. 240 dated 02.05.2015, according to which NA MSEDCL were required to inspect the site within three days from 20.01.2019 and to issue demand note within 10 days.
- d. According to complainant as, NA MSEDCL failed to abide by their own circular and delayed inspection and issue of demand note, the grievance complaint was lodged with IGRC Akola on 14.02.2019. According to complainant NA MSEDCL violated SOP Regulation 2014, GOM guidelines dated 08.01.2015, section 108 of EA 2003, MERC approved schedule of charges read with regulation 18 of supply code regulation 2005 and section 43 of EA 2003 by not releasing the additional load before 20.02.2019, which was otherwise mandatory on the part of NA MSEDCL.
- e. According to complainant the demand note issued on 19.03.2019 for payment of necessary charges for Rs. 94,350/- was paid by DD in first week of April 2019. Complainant annexed copy of application dated 20.01.2019, circular no. 240, copy of demand note and IGRC complaint along with complaint.

Complainant's prayer before Forum

- a. Direct MSEDCL to release additional load within 15 days.
- b. Direct MSEDCL to compensate complainant by SOP compensation at Rs. 100/- per week separately for inspection, demand note and release of additional load.
- c. Direct MSEDCL to conduct departmental inquiry for violation of commercial circular no. 240 dated 02.05.2015 and fix the responsibility on guilty officers/employees.

3) Reply came to be filed belatedly by NA MSEDCL on 23.05.2019. According to NA MSEDCL it is fact on record that complainant applied for additional load on 20.01.2019. According to NA MSEDCL estimate for augmentation of transformers from 100 KVA to 200 KVA is sanctioned and demand note for payment of charges Rs. 94,350/- was issued on 19.03.2019 and paid by complainant on 11.04.2019. According to NA MSEDCL after making provisions for infrastructure cost and allotment of work to contractor additional

load will be released. NA MSEDCL annexed copy of demand note, sanction load copy and copy of sanctioned estimate with the reply.

NA MSEDCL Prayer

As NA MSEDCL have already processed the application for load release and have taken all necessary steps to release the load as per rules, the demand of complainant for SOP Compensation may please be disallowed by Forum.

4) Shri. Ashish S. Chandarana learned representative for complainant and Shri. P. R. Dani, Nodal Executive Engineer Urban Akola were present for the hearing held on 14.06.2019. Shri. Ashish S. Chandarana filed on record, the reply before IGRC Akola by NA MSEDCL letter no. AEE/Urban/2260 dated 10.04.2019 and brought to the notice of Forum that NA MSEDCL directed complainant to pay infrastructure cost of Rs. 3,67,825/- while in reply to CGRF filed vide EE/U/1796 dated 22.05.2019 withdrawn the demand of infrastructure cost which according to complainant is contradictory and urged Forum to take note of ill intentions on the part of NA MSEDCL. Shri. Ashish S. Chandarana further urged that the said demand for infrastructure cost for Rs. 3,67,825/- was issued to complainant off-line while demand note for Rs. 94,350/- dated 10.03.2019 was issued on-line which is paid by complainant on 11.04.2019. Shri. Ashish S. Chandarana specifically brought to the notice of Forum that complainant is not aware of whether IGRC Akola have issued the order in the complaint grievance.

5) Shri P. R. Dani, Executive Engineer, MSEDCL filed on record the letter EE/U/2014 dated 13.06.2019 about fixing of agency for execution of infrastructure work of erection 200 KVA transformer and urged that enhancement of load for complainant will be allowed only after completion of work. On direction of Forum Shri. P. R. Dani, Executive Engineer, MSEDCL Akola filed on record the IGRC Akola order in the subject grievance issued vide SE/AKI/IGRC/1512 dated 12.04.2019 and no satisfactory reason or justification is brought on record, for not filing the IGRC order on record with the reply dated 22.05.2019 or for concealing the fact from Forum till insisted by Forum on 14.06.2019.

6) Having heard the parties and after considering the material placed on record Forum is of the view that IGRC Akola vide there order

no. 1512 dated 12.04.2019 have partly decided the complaint in favour of complainant in respect of awarding SOP Compensation for delay in inspection and issuing quotation at Rs. 100/- per week as per commercial circular no. 240 issued by corporate office of MSEDCL and Forum finds no reason to interfere with this part of IGRC order and of the view that IGRC order needs to be modified in respect of direction to MSEDCL to complete the work of infrastructure within 15 days and allow complainant to avail enhancement of load within 15 days of this order and pay compensation at Rs. 100/- per week after 15 days of payment of necessary charges for delay in releasing the connection. Forum finds no substance in the defence of MSEDCL that work of execution of infrastructure is awarded to agency on 13.06.2019 and grievance is solved as NA MSEDCL filed only LOA without terms and conditions of the LOA and its acceptance by agency and could not bring on record even on insistmencet by Forum; the date of completion of work and release of load. Forum is of the view that NA MSEDCL should conduct departmental enquiry into the transaction of issuing off-line demand note for Rs. 3,67,825/- to the complainant and subsequently not pursuing without any reason, to find out ill intention on the part of concern officers/employees of MSEDCL if any and take suitable action.

The application filed by learned representative of complainant at the time of hearing on 14.06.2019 regarding possible exploitation by Executive Engineer Urban MSEDCL Akola in giving selective and inconsistent treatment for releasing new connections to prospective consumers of Executive Engineer Urban Akola filed under clause 6.20 of MERC CGRF and OMBUDSMAN Regulation 2006 for suo-moto registration of grievance will be dealt separately in accordance with the provisions of regulation 2006.

With these observations, Forum proceeds to pass following unanimous order.

ORDER

1. The Complaint No. 22 of 2019 Dated 04/05/2019 is hereby partly allowed.
2. That the NA MSEDCL is directed to release the enhanced load within 15 days of this order.
3. That the NA MSEDCL is directed to compensate complainant by SOP Compensation at Rs. 100/- per week from 27.04.2019 till release of enhanced load for delay in releasing load within 15 days in addition to SOP

Compensation for delay in inspection and issue of quotation as per commercial circular no. 240 of MSEDCL at Rs. 100/- per week as awarded by IGRC Akola vide order no. 1512 dated 12.04.2019.

4. That the NA MSEDCL is directed to take suitable action on guilty officers/employees of MSEDCL after due enquiry for issuing offline demand note.
5. That the NA MSEDCL is directed to submit a compliance report to this Forum within 15 days of this order.

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/147

Dt:- 01.07.2019

To,
The Nodal Officer
Executive Engineer,
MSEDCL, O. & M.
Urban Division Akola.

The order passed on **01/07/2019** in the Complaint No. **22 of 2019** is enclosed herewith for further compliance and necessary action.

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

Copy s.w.r. to:-

- 1) Chief Engineer, MSEDCL, Akola Zone, Akola.
- 2) Superintending Engineer, MSEDCL, O. & M. Circle, Akola.

Copy to :-

Shri. Vijaykumar Tahkurdas Nagwani, Prop. Ravi Packaging Akola Plot No-N/140 MIDC Phase-4 Akola, c/o Shri Ashish S. Chandarana, flat no. 302, Satguru villa apartment, Sahakar nagar Gorakshan Road Akola 444004.