

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

“ Vidyut Bhavan ” Ratanlal Plots, Akola : 444001 Tel No 0724 .2434476

Dt.21/11/2015

Complaint No.21 / 2015

Grievance about non providing of electric connection, compensation cost.

Quorum

Shri T.M.Mantri, Chairman

Shri. R.A. Ramteke ,Member-Secretary

Smt.Pushpa Sureshrao Bijwe Complainant

.....Vrs.....

Executive Engineer, MSEDCL..... Respondent
(Urban Division), Amravati

,Appearances :

Complainant Representative: Shri. Atul S.Bijwe

Respondent Representative: Shri. Manish R. Farkade Assistant Engineer.

1. In substance the complainants grievance is that after filing of application for commercial connection on dated 17/04/2012, demand note was issued on 13/09/2012 and the complainant remitted amount of Rs.4175/- on 25/09/2012. Though approaches were made time again to various authorities for providing electric connection only oral assurance was given but nothing was done. That ultimately complainant approached IGRC Amravati. The said authority asked the complainant to remain present with all documents on dt. 30/06/2015. Accordingly complainant attended with all documents, however till date nothing has been done. Neither the connection is provided nor the compensation. The complainant has claimed Rs.5,00,000/- so also claimed Rs.25,000/- for cost and mental harassment. The complainant has filed copies of the documents with the complaint.
2. In spite notice of this forum for the filing reply to the complaint the N.A. has failed to file reply in time so the matter was proceeded further for hearing. That time the N.A. submitted reply with copies of certain documents, copy of which given to the complainant. As per reply of the N.A. the facts are not disputed about

submission of application for connection, issuing of demand note and remittance of the amount accordingly by the complainant. The N.A. has stated about sending of the application there after to sub division no.III and stated about further steps by making reference of order of IGRC Amravati. It is further stated that on 17/01/2015 order issued to the contractor for carrying of the work. If the complainant was in hurry for getting electric connection she could have availed connection under Non DDF CCRF scheme. Even today she can opt for connection under the said scheme and can get connection early. Along with the reply copies of some documents came to be filed.

3. At the time of arguments submissions have been made by Atul Bijwe, the son and the representative of the complainant as well as Mr. Farkade, Asstt.Engineer, the learned representative of the N.A. The complainant has filed certain document at the time of hearing, copies there of have been given to the N.A. It is clear from the record that the complainant submitted application of new commercial electric connection on 17/04/2012 and after getting the demand note remitted Rs.4175/-. It is submitted that on 13/09/2012 demand was made/issued to the complainant and the amount was deposited on 25/09/2012. The demand note has been admittedly issued after inspecting the spot of the connection as well as the surrounding circumstance. As per inspection carried out, the estimate was prepared and there after demand note came to be issued on 13/09/2012. Admittedly the complainant deposited the said amount to the N.A. immediately that is on 25/09/2012. Admittedly till date no connection is provided to the complainant. So admittedly there is abnormal delay in providing the electric connection.

4. The defence and submission made on the of N.A. of not availing the non DDF CCRF scheme by the complainant, the delay has occurred. The record clearly shows that order of IGRC is not only cryptic but also cannot be said to be just and proper. That MERC has framed regulations prescribing standards of performance as well as the time limit, therefor. Similarly in Appendix A of the regulation 2005, provided level of compensation on failure to meet this standards of performance.

For various activities/ events the standards are prescribed so also rate of compensation if delay occurs. Admittedly the complainant submitted application for connection 17/04/2012 and the demand note was issued on 13/09/2012. So there was apparently delay of about performance. The maximum time period of intimation of charges (issuing of demand note) is of 30 days. In the same manner maximum period for supply of the connection as per clause 1(iii) of Appendix A of the said regulation is of 1 year. Admittedly till the date of hearing, the connection was not provided. Thus it is clear that there is delay of more than 2 years and 5 months, even if maximum the period of 1 year for supply is excluded as mentioned in the said clause 1(iii) of the said regulations. No just and reasonable reason has been put forth from the side of N.A. for such abnormal delay. In defence as well as during the course of arguments, attempt has been made from the side of N.A. to justify the delay because of nonavailing Non DDF CCRF scheme by complainant. The said defence & submission is without merit and substance.

5. The learned representative of the N.A. has submitted that the work for providing connection to the complainant has been commenced and within 8 to 10 days connection will be provided to the complainant. The complainant's representative has submitted that only after approach made to the forum, the N.A. has taken steps, otherwise for more than 2 years nothing was done, inspite approaches made time and again. The complainant has claimed Rs.5,00,000/- as compensation for the losses which could have been earned if the connection would have been provided in time. The complainant has also claimed cost. As per as the compensation this forum thinks it proper to award the compensation for the delay caused by the N.A. in giving the demand note and also in providing connection. As observed above under the regulations standard of performance in giving the demand note is of about 16 weeks and for supply of electricity is of 2years & 2 months (ie.112 weeks). Thus there is total delay of 128 weeks, hence the liability of compensation of the rate of Rs. 100/- per week as provided in regulation comes to Rs.12800/-. The complainant has claimed for loss of

Rs.5,00,000/- which appears to be exorbitant. In any case the said claim made by the complainant is too remote. It will not be just and proper to grant the same.

6. As per as the claim for costs made by the complainant, nothing has been stated on behalf of the N.A. but this forum thinks it just and proper to award reasonable cost. The complainant is from Amravati and required to approach the offices of the N.A., IGRC Amravati and lastly this forum. So granting of reasonable amount towards costs will meet the ends of justice, with such observations this forum proceeds to pass the followings unanimous order.

ORDER

1. That the complaint no. 21/2015 is hereby partly allowed.
2. The N.A. is directed to provide electric connection to the complainant Immediately, if so far not provided.
3. The N.A. to pay compensation of Rs.12800/- (Twelve Thousand & Eight Hundred) only for the delay caused in meeting the standards of performance provided in the Regulations 2005, as per order.
4. The N.A. is also liable to pay costs of Rs.2500/- to the complainants.
5. That the compliance report to be submitted within a period of one month from this order.

(R.A.Ramteke)
Member/ Secretary

(D.M.Deshpande)
Member

(T.M.Mantri)
Chairman

No.CGFR / AMZ/ Akola/ 817

Dt. 21 /11/2015

TO
The Nodal Officer,

Executive Engineer,
Urban Division, MSEDCL,
Amravati.

The order passed on 16-11-2015 in the Complaint No. 21/2015, is enclosed herewith for further compliance and necessary action.

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

Copy fwc to:

1. Smt. Pushpa Sureshrao Bijwe, Praful colony, Sainagar, Amravati.
2. The Superintending Engineer O & M Circle, Amravati.