

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

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

Dt.17/03/2015

Complaint No.01 / 2015

In the matter of grievance for getting benefit of Krishi Sanjivani Scheme, so
also for new Agricultural Pump Connection, etc.

Quorum :

Shri T.M.Mantri, Chairman

Shri D.M.Deshpande, Member

Shri P.B.Pawar, Member/ Secretary

Shri Ghanashyam Ramcharan Pande	Complaint No.01/2015
A/P Rasegaon Tq : Achalpur Dist : Amravati	Complainant
.....Vrs.....		
The Executive Engineer, Division, Achalpur	 Respondent

Appearances :

Complainant Representative : Shri Radheshyam R . Pande

Respondent Representative : Shri.M.R .Wanedkar ,Assistant /Accountant
Shri M.S. Kokate , Dy.Executive Engineer

1. The complainant had approached this Forum through his authorized representative his brother, alleging that HP Agricultural Electric connection was provided on 2-4-1981. However, no bills were issued till 1990, though there was electric supply. The electric supply was permanently disconnected in December 1990, so also electric poles etc has been removed. In Oct.2014, When approach was made for new Agricultural connection, bill for

permanently disconnected connection was given for the period from 30-3-2014 to 30-6-2014 for Rs.1,62,080/- It is alleged that though the electric supply was permanently disconnected, even then issue of bills upto June 2014 continued. According to the complainant, benefit of Krishi Sanjivani Scheme is made applicable till March 2015 and though letter dated 21-10-2014 was submitted for revising the bill, however, till date no bill for the benefit of Krishi Sanjivani Scheme has been provided. On the contrary the bill till 30-6-2014 has been continued. The revised corrected bill is to be issued, whereby new application for agricultural connection can be filed, thereby it will be helpful to have early electric connection. The averment has been made about the compensation payable for causing delay in issuing the bill in the prescribed period and lastly pressed for revised bill under Krishi Sanjivani Scheme to be issued immediately. Alongwith the complaint copies of certain documents came be to be filed.

2. As per the Regulation, notice was sent to N.A. for submission of parawise comments to the complaint. The reply came to be filed, belatedly, on behalf of N.A. wherein that practically factual aspect has been admitted including that of making of complaint by the complainant on 21-10-2014. It is stated that as per the Office record of the N.A. the complainant's connection was neither disconnected by the Office of the N.A., nor the complainant

requested to dis-connect his supply, his supply is therefore live and billing is on going till date of the complaint. Reference has been made to the Spot Inspection Report carried out by the Sectional Engineer on 27-10-2014 mentioning that no infrastructure was found, so also there was no connection on the Spot, therefore the date of dis-connection cannot be determined. It is stated that during the long period of 24 years, the complainant did not approach in the office, so it is clear that he was agreeing to the bills but has not made payment thereof. The Krishi Sanjivani Scheme was declared in August 2014 for 50% arrears of bill paid upto March 2014. Immediately after launching of the said Scheme the complainant woke up to take benefit of the said scheme and made grievance with the N.A. However, he did not make any complaint, even in 2004 and 2011 when the said scheme was also launched. It is stated that the complainant only wants to take benefit of Krishi Sanjivani Scheme and regularize his connection. The Sub-Divisional Office, Achalpur City has submitted this case to Divisional Office, Achalpur seeking guidance to revise the bill. It is further stated that the bill cannot be revised as per the Rules, so also the date of permanent dis-connection cannot be determined. Lastly pressed for dismissal of the complaint. The N.A. has filed certain documents with the reply.

3. The complainant as well as N.A. have thereafter filed revised submissions alongwith the documents. The N.A. has referred that the Spot Inspection report which was carried out on 27-10-2014, narrating as there was no infrastructure on the spot, hence the date of dis-connection cannot be determined. Accordingly, permanent dis-connection report was sent to the Sub-Division Office and the bill stopped since December 2015(which ought to have "2014"). It is stated that during long span of about 24 years, the complainant did not approach, which clearly shows that the complainant was agreed to accept the bills as was availing the power supply but he has not made payment thereof. The billing was continuously made against the power used by the complainant from HPT tariff. Again similar pleas have been raised in revised reply which were made in the earlier reply.

4. At the time of hearing, heard Shri Radheshyam Pande, Learned Representative - Brother of the complainant and Shri Wanedkar, Assistant and Shri Kokate, Dy.Executive Enjgineer, Learned Representatives of the N.A.During the course of argument, this Forum thought it proper looking into the controversy between the parties with material on record, to direct the N.A. to produce certain Registers and Documents. The Learned Representative has filed on record Xerox copy of Service Connection Register, so also brought the original Register and also filed letter of Executive Engineer in respect of non-

production of certain documents stating that they are not available. Those documents which were called are Ledger Register of the consumer, Inward-outward Gate Pass Register about entries made about the goods / material brought so also Master Data Report : BII and B31 reports as well as List of Consumers who are in arrears as well as copy of notice given to the complainant for making payment of arrears. The Learned Representative of N.A. has only filed the record copy of the Register of Service Connection and it has been seen that on Page No.53 of the said Register, there are entries in respect of the complainant, in Remarks Column. It has been mentioned that :-

“कायमचा बंद दि. 1/3/1997 थकीत 12894/-”

5. Here, it is pertinent to note that earlier Permanent Dis-connection Report filed with the reply is showing the details of date of temporary and permanent dis-connection as “12-12-2014” so also it is mentioned “ Reasons of dis-connection of supply “.....”due to arrears Rs.1,67,110/-“ When query was made with the representative of the N.A. to substantiate its defense and submission by appropriate documents, he cannot point out any such document, on the contrary the documents filed by the N.A. itself mentioned that date of temporary disconnection “ 12-12-2014” so also the date of permanent dis-connection :- “12-12-2014”. The concerned Officer have not signed the same except Jr. Engineer. It is rather surprising that the documents

filed by the N.A. itself showing the great variance of the dates and alleged date of permanent dis-connection. In the PD report, the date of PD is mentioned as "12-12-2014", whereas no entry in that respect has been mentioned / pointed out in the Original Register of the N.A. On the contrary, the copy of the register filed on record clearly shows that there is endorsement in the "Remark Column" " कायमचा बंद दि.1.3.1997 थकित रु.12834/-"

6. Apart from the variance in the stand of the N.A. in respect of the date of permanent dis-connection of supply, it is clear that there are two dates of permanent dis-connection as per N.A., one is 12-12-201, as mentioned in PD report giving date of Temporary and permanent Dis-connection as 12-12-2014 only, whereas in the Register of Service Connection,, original of which is brought in the Court and Xerox is filed on record, the date of permanent dis-connection is 1-3-1997, showing the arrears of 12894/- At this stage, it is to be noted that the complainant has made letter correspondence in writing, such as 21-10-2014, 11-11-2014 and 12-12-2014 and it has been specifically mentioned therein that in 1990 N.A. has permanently dis-connected the supply removing the service line but levying of electric charges continued, even thereafter. The copies of the letter correspondence made by the complainant bears the seal and signature of the recipient of the office of the N.A. and by letter dated 3-11-2014 the Assistant Engineer, Achalpur City-1 has informed

the complainant to approach to higher office as the said office has no authority to provide benefit of Krishi Sanjivani Scheme by revising the bill after 1990 of HTP connection. Accordingly, the complainant approached the office of the Executive Engineer by letter dated 11-11-14 and also to Dy. Executive Engineer, Achalpur on 12-12-14. The copies bear the seal and signature of the recipient of the concerned addressee. The Spot Inspection Report of the N.A. dated 27-10-2014 also supports the complainant's contention about the non existence of electric poles and wires. At this stage, it will be just and proper to go through the said Spot Inspection Report dated 27-10-2014, more particularly, the endorsement in English at the bottom. The report is also signed by the concerned Jr. Engineer, Rasegaon. It has been mentioned in the said endorsement that the "effect will be given since 1990. There is no line and pole available" so it is admitted position even as per the report of 27-10-2014, that neither there was electric pole & line as well as supply, nor any other thing to justify the alleged date of permanent dis-connection as 12-12-2014, as mentioned in the so-called permanent disconnection report showing arrears of Rs.1,67,110/-. So one has to accept the complainant's submission that only paper work has been created to justify the stand including the original permanent service dis-connection report. There is entry of PD on 1-3-1997, so also shown arrears of Rs.12,894/- in 1997 itself, as per the entries in

the Service Connection Register when the said line was permanently disconnected, the bills could have been generated and issued. The entries in Service Connection Register clearly shows the date of permanent disconnection as 1-3-1997 and arrears of Rs.12894/- In view thereof continuing of levying of interest and making entries on subsequent papers only of the alleged arrears which has been shown as RS.1,67,110/- is patently erroneous so also the date of Temporary disconnection and Permanent Disconnection as 12-12-2014.

7. The Learned Representative of the N.A. could not justify and explain as to how the alleged entries of arrears and interest has been mentioned in the CPL in March 2003 and subsequent thereto. There was no supporting documents or stand when as per the Original Service Connection Register and entries showing that said connection was permanently dis-connected on 1-3-1997, there could not have been any occasion or basis for recording of further entries. The Learned Representative of the N.A. has filed on record about the non-availability of various documents mentioned above . The said letter / writing is signed by the Executive Engineer, Nodal Officer, so it clearly shows that all relevant documents are said to be not available in the office of the N.A. In view thereof, there is much substance in the submission made on behalf of

the complainant in respect of exaggerated bills of alleged arrears and issue of incorrect bills in that respect.

8. It has been admitted by the Learned Representative of the N.A. that Krishi Sanjivani Scheme is available and consumers may take benefit till end of March 2015. At the same time, the submission made on behalf of the N.A. that the complainant did not avail the benefit of the said scheme in 2004 and 2011 is of no consequence as he has admitted that even if one consumer has not availed the benefit of Krishi Sanjivani Scheme earlier that does not bar him for availing the benefit of the said scheme. The complainant has specifically mentioned in the letter, more particularly on 21-10-14, 11-11-14 etc for availing benefit of the said scheme and sought for revised bill that was not done, on the contrary by letter dated 3-11-2014, The Assistant Engineer, Achalpur has asked the complainant to approach the Higher Office as it has no authority to give benefit of the said scheme for HTP connection. The complainant by letter dated 11-11-2014 has approached the Executive Engineer, Amravati and other offices at Achalpur in that respect but nothing has been done, even no reply has been given. This clearly shows that there was no due attention given to the grievance of the complainant.

9. When even according to the N.A. Krishi Sanjivani Scheme is available till March 2015 and when the complainant had approached the concerned

authorities / officers, nothing has been done but exaggerated bills has been issued which even according to the documents of the N.A., Service Connection Register, is totally incorrect. When the record of the N.A. itself mentions about the permanent dis-connection of electric supply on 1-3-1997, showing arrears of Rs,.12894/- at that time. The defense and submission for other arrears and other dates of dis-connection on the part of N.A. is incorrect. It is clear that officers of the N.A. i.e. Jr. Engineer, Rasegaon, so also other Officer have signed the documents which clearly shows that it is without going through the Register of Service connections wherein the date of permanent disconnection is mentioned as 1-3-1997. It is thus clear that either there was lethargic attitude or negligence on their part, resulting in issue of incorrect bills which needs to be corrected. The N.A. Licensee to take a serious note of the said discrepancy and to take suitable steps including disciplinary action, so that in future no such mistakes are committed by others also. As the Krishi Sanjivani Scheme is in vogue, the concerned office of the N.A. to take appropriate steps for providing benefit of the said scheme to the complainant as the complainant is ready to pay the requisite amount, as per the Register of Service Connections for availing benefit of the said Scheme. The concerned office of the N.A. to take prompt steps immediately whereby the complainant

can get benefit of the said scheme. With such observations, this Forum proceeds to pass the following order unanimously :-

ORDER

1. That the Complaint No.01/2015 is hereby partly allowed. In view of entry of permanent dis-connection of the electric supply of the complainant on 1-3-1997 in the Register of Service Connections of the N.A. showing arrears of 12894/- the PD report of 12-12-14 so also arrears shown therein are hereby set aside.
2. The concerned Office of the N.A. to take prompt steps as the complainant is ready and willing to avail benefit of the Krishi Sanjivani Scheme which is in vogue by making compliances on his part. The concerned office of the N.A. to issue correct bills as per the record (Service Connection Register) to the complainant immediately for availing benefit of Krishi Sanjivani Scheme before the due date.
3. The N.A. Licensee to take note of discrepancies in respect of the different dates of permanent disconnection and alleged arrears, on account of lethargic attitude or negligence on the part of the concerned and to take appropriate steps including disciplinary action against the concerned.
4. In the circumstances, parties to bear their own costs.
5. That the compliance report be submitted within a period of one month from the date of this order.

Sd/-	Sd/-	Sd/-
(D.M.Deshpande)	(P.B.Pawar)	(T.M.Mantri)
Meber	Secretary / Member	Chairman

No.CGRF / AMZ/ Akola/

Dt. /03/2015

To
The Nodal Officer / Executive Engineer,
MSEDCL,
Achalpur Division,
Dist Amravati .

The order passed on 17-03-2015 in the Complaint No. 01/2015, is enclosed herewith for further compliance and necessary action.

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

Copy to:

Shri Ghanashyam Ramcharan Pande , A/P Rasegaon Tq : Achalpur Dist : Amravati

Copy s.w.r.to:-

The Superintending Engineer, O & M Circle Office Amravati