

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

*“Vidyut Bhavan”,
Ratanlal Plots,
Akola: 444 001
Tel.No.2434476*

Dt-08/05/2013

Complaint No.23/2013

In the matter of Smt.Kusumawati Punjabrao Zade, for incorrect bills

Quorum :

Shri T.M.Mantri,	Chairman
Shri P.B.Pawar,	Secretary
Shri A.S.Gade	Member

Smt.Kusumawati Punjabrao Zade, Anjangaon Surji ... Complainant

...VS...

MSEDCL Division Office ,Achalpur ... Respondent

1 The complainant has approached the forum in respect of grievances for improper voltage, compensation as well as reimbursement of loss of agriculture income. The complainant's case in brief is that after receipt of the quotation for electric connection the amount was deposited on 3/4/08 however the connection was issued late, not in time but on 20/7/09. The complainant is therefore entitled for compensation as per regulations, for delay caused therein.

2 It is further alleged that since beginning there is no proper voltage and because of that the complainant could not irrigate her field properly though time and again approached the concerned officers and staff but on one or other pretext the same has been lifted and their part. The complainant is entitled for compensation as per regulations also. It is alleged that apart from making oral grievances the complainant had made written complaints also and the A.E. Anjangaon has taken action, though belatedly thereon, on 31/5/12 for proposing installation of new DP. Though these authorities have idea about improper and deficient supply they ought to have taken

proper steps at the earliest but that has not been done. Hence they are also liable for compensation. According to the complainant she is also entitled for losses of Ag. income as she could not irrigate the field and hence some appropriate order in that respect needs to be passed. Needless to say that prior to approach to this forum the complainant had approached IGRC Amravati but having not been satisfied with the order therein, approached this forum seeking reliefs prayed for. Alongwith the complaint copies of documents came to be filed.

3 On behalf of the concerned office of the N.A.licensee reply came to be filed to the complaint, after receipt of the notice of this forum, stating that IGRC Amravati has passed order on the complaint of the complainant. As per the said order new DP has been installed near the field of the complainant and after its recharge proper voltage will be made available to the complainant.

4 With regard to the delay in providing electric connection, it is stated that after depositing of the amount for Ag. connection seniority list is maintained and as per that seniority list connection is provided. Accordingly on 20/7/09 connection was given to the complainant. As the complainant is making grievance after more than 60 days hence complainant is not entitled for the compensation on that count as more than two years time has been elapsed, hence the claim on that ground is not tenable.

5 As far as complainant's grievance of not getting proper voltage since beginning is not correct, new DP has been installed near the field of the complainant and the same shall be charged and made functional early. Copy of the CPL is filed for the period March,11 to Dec.12. it is pertinent to note that the reply came to be filed late on behalf of the concerned office of the N.A.licensee.

6 The matter was then posted for arguments. Hear Mr.Anand Sanghai, the learned represent5ative for the complainant and Shri Gid, A.E. the learned representative of the N.A.licensee. It is undisputed that complainant has applied for the Ag. connection and quotation dt. 27/3/08 / 31st March,08 for Rs. 1,200/- has been issued and the complainant has deposited the said amount on 03/04/08 as per copy of the receipt filed on record. From the copies of the documents filed on record it is clear that the complainant has made grievance in respect of low voltage pointing out that the connection for Ag pump of the complainant is at last of the DP . It has been submitted by the learned representative of the complainant that apart from written grievances the complainant has made oral grievances. Admittedly the complainant had approached

IGRC Amravati and copy of order dt. 31.12.12/10.1.13 is filed on record, wherein direction has been given that new installed DP be commissioned within a month and complainant Ag. connection be taken from that DP whereby the grievance of the complainant of low voltage needs to be resolved. Further it has been ordered that the compliance report thereof be communicated to the said office. Needless to say that the IGRC has also dealt with grievance of the complainant for compensation and losses.

7 Main bone of contention on the part of N.A.licensee in respect of compensation for delay in providing connection and for losses on account of low voltage is that the grievance is made after more than two years, at the fag end of 2012. Reference has been made to clause 12.2 of regulations 2005 in that respect.

8 As far as claim of the complainant for delay in providing electric connection from the date of depositing of amount on 3/4/08 it is an admitted position that the connection has been provided to the complainant on 20/7/09. The claim for compensation for delay in providing connection is apparently beyond the period of limitation provided in the regulations. There is nothing on record establish that earlier to present grievance, complainant had made any complaint in that respect. The IGRC has also turned down the claim for compensation on that basis, this forum upheld the said decision of the IGRC treating the same as correct as far as that aspect is concerned.

9 The complainant has also raised grievance of about low voltage and resulting in her inability to irrigate the land. The said claim has been also opposed from the side of the N.A.licensee on the ground that at the fag end of year 2012 for first time, such grievance is made. It has been submitted on behalf of the NA licensee that in Nov.12 the grievance has been made and prior to that there was no grievance, whereas on behalf of the complainant it has been submitted that earlier also grievance was made orally as well as in writing but except the documents filed on record the complainant has no other material. It has been pointed out by the learned representative of the complainant the endorsement made by the concerned officer of the N.A.licensee on the written complaint of dt.,3/11/12 . On going through the said complaint it is clear that there is stamp of J.E. MSEDCL with signature and the date so also under written note of the said officer with his signature thereon. The recitals of the said note clearly supports the contention of the complainant that approach has been made to the said authority in respect of low voltage and on that basis the said officer has sent proposal of installation of new DP to Sub Dn. office on 31/5/12 so it is clear that prior to 31/5/12

there was grievance made by the complainant in respect of low voltage. The recitals letter dt. 3.11.12 clearly show that on similar ground the complainant had made oral grievance with the concerned officer even prior to 31/5/12. On that basis, the proposal for installation of new DP has been made & the said officer has also realized that as complainant's pump is at the fag end of the said DP it is not getting proper voltage resulting in facing of problems by the complainant. So in any case the record clearly shows that at least few days before of 31/5/12 such grievance was made by the complainant in respect of low voltage that has not been resolved . The record further clearly shows that thereafter time and again written grievances have been made. No doubt it has been submitted in the reply as well as during course of submissions that new DP has been installed after the order of IGRC, however the fact remains that it was not charged and connection of the complainant has not been shifted on that DP, resulting in continuance of grievance of the complainant. During the course of arguments the learned representative of the N.A.licensee has submitted that the new installed DP will be started within a couple of days as everything is ready and as soon as possible, it will be charged by the concerned authority. When query was made with the learned representative of the N.A.licensee as to when everything will be completed including that of shifting of connection of the complainant on new DTC, it has been stated that everything will be completed within 4/5 days. It was thought proper to give direction to complete the same as early as possible and to submit report upon doing so. That on 6/5/13 concerned officer of the N.A.licensee has submitted spot inspection report dt. 2.5.13 after commissioning of the new DTC and shifting of the complainant's connection on new DTC stating therein that there is proper voltage to the complainants Ag. connection pump. The said report is signed by J.E. Anjangaon Surji and one Shri Pravin Boke, the said statement needs to be relied upon. As regards controversy about the meter reading it was also agreed between the parties that the N.A.licensee to take actual meter reading on 29/4/13 in presence of the complainant or her representative.

10 From the record and submissions the fact remains that inspite order dt. 31/12/12 by IGRC for providing electric connection of proper voltage to the complainant from newly installed DTC the same has not been complied with. The record clearly establishes that at least from 31/5/12 there was admitted grievance of the complainant of low voltage, the same ought to have been resolved within the period, that having not been done, inspite specific directions by IGRC, the complainant is entitled for compensation. On going through the Appendix A of Regulations 2005 more particularly item No.3 it appears that there is no specific provision made for the area of the

Complainant. This forum has taken into consideration the order passed by IGRC as well as endorsement of the J.E. on written complaint of the complainant dt. 3.11.12 about proposal of installation of new DP for providing proper voltage. This forum is of the considered view that the complainant is entitled for compensation of Rs.5000/- apart from cost of the proceeding, hence proceeds to pass following order, unanimously. Needless to say that the N.A.Licensee to make adjustment of the said amount towards electricity bill payable by the complainant and to issue correct electricity bill of actual consumption of electricity, henceforth as submitted by the Learned Representative of N.A.licensee.

ORDER

- 1) Complaint 23/2013 is hereby partly allowed. The N.A.licensee is directed to pay compensation of Rs.5000/- for not providing proper voltage to the complainant till installation of the new DP on 25.4.13 as submitted in said inspection report dt. 2.5.13. and the said amount be adjusted in the electric bills payable by the complainant. So also to issue correct bill as per actual consumption, herein after, regularly.
- 2) The N.A.licensee is also liable to pay cost of Rs.500/- for the present proceeding to the complainants.
- 3) Rest of the claim of the complainant for compensation on other accounts is rejected.
- 4) Compliance report to be submitted within a period of three months from the date of receipt of this order.

Sd/-
(A.S.Gade)
Member

Sd/-
(P.B.Pawar)
Secretary

Sd/-
(T.M.Mantri)
Chairman