

**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)**

**COMPLAINT NO. 363/2012**

Shri Jayratnam Ramchandrarao Gajralwar,  
At Vitthal Mandir Ward, Warora  
Taluka Warora,  
District - Chandrapur.

**.. Complainant**

.,VS.,

1. Executive Engineer,  
MSEDCL, O & M Division,  
Warora.

2. Executive Engineer/Nodal Officer,  
I. G. R. C., Circle Office,  
MSEDCL, Chandrapur.

**Respondents**

Applicant Shri Jayratnam Ramchandrarao Gajralwar.  
Respondents **Absent**.

**CORAM:**

Shri T. M. Mantri, Chairman.  
Shri M. G. Deodhar, Member.  
Ms. S. B. Chiwande, Member-Secretary.

**ORDER**  
**(Per Chairman Dtd. 05<sup>th</sup> March, 2012)**

The complainant has approached for Redressal of his grievances mentioned in the complaint claiming Rs. 5000/- towards mental harassment and Rs.500/- towards cost and if refund the excess amount recovered from the complainant. In substance the complainant's case is that on 25/07/2011 he has given application for residential connection. In that respect when he had been to the office on 9/9/2011 Demand Note dtd. 5/8/2011 was issued to him. He has deposited the amount on the same date on 9/9/2011. So also given test report with respect on 10/09/2011. The complainant has further alleged that though he has made approached for Demand Note as well as connection by writing letters on 18/8/2011, 2/9/2011, 10/09/2011 and 14/9/2011 but he has been provided electrical connection on 21/09/2011. For the delay he has approached to Asstt.Engineer by letter dtd. 03/10/2011 but to no effect and in respect approached to I.G.R. Cell on 12/10/2011 and hearing thereof taken place on 28/11/2011, till date no order has been received, hence present complaint.

2. As per the Rules, notice was given to the Respondent Licensee calling upon its reply which was filed stating that no delay for providing supply. The application for electric connection was not given on 25/07/2011 but it was received by the Jr.Engineer on 13/08/2011. Further it is stated that Demand Note dtd. 15/08/2011 was thereafter prepared but as the consumer failed to turn over to collect the same, it was tried to be served by hand delivery through Jr. Technician Shri Ajay Parkhi. Though he has visited the complainants residence but could not serve the same on him hence returned back in the office on 30/08/2011. The complainant thereafter personally received the said Demand Note on 9/9/2011 and appears to have deposit the amount of Rs. 1440/- on the same date. The receipt and test report submitted on 10/9/2011. However it is absolutely false that supply was given on 21/09/2011. It is stated that on 12/09/2011 itself the meter was to be installed and it was installed. The allegation in respect of alleged correspondence appears to be fabricated in the complaint. The Computerized System clearly falsify the allegations of the complainant. The supply was made within stipulated period. The complainant is not entitle for any charges. The Complaint is full of nullify / malafide hence liable to be rejected.

3. In spite of granting chances no representative present on behalf of Respondant Licensee. No representative from the office of the Respondent Licensee has attended the proceeding when fixed for hearing. Heard complainant in person, gone through the available material on record including documents filed by the parties. It is pertinent to note that alongwith reply of the Respondent Licensee, copy of order dtd. 8/12/2011 passed by I.G.R.Cell, Chandrapur is filed on record and in the said order also various dates have been mentioned including that of given in Form A-1 of application for new connection dtd. 25/07/2011. The copy of the application filed on record on behalf of Respondent Licensee no where reflects that it was given on 13/8/2011 as alleged. There is nothing to disbelieve statement of the complainant in that respect specially when the copies of the correspondence dtd. 18/8/11 and 3/10/11, also refers to filing of such application of 25/07/2011. There is signature of receipt. In view there of the defence of the respondent about receipt of application on 13/08/2011 could not be accepted.

4. The second defence raised in reply is that the demand note dtd. 15/08/2011 as tried to be served on complainant at two occasions but could not be served and as complainant approached late i.e. on 09/09/2011, it was given to him. When the complainant has made grievance in that respect it was necessary for the Respondent to point out what steps taken. Why the said demand note was not sent by Post or other modes. In the letter of 18/08/2011 the complainant has raised demand for demand note. So also in the letter 03/10/2011 he has referred to receipt of the said demand note on 9/9/2011. As per the Regulation and more particularly Standard of Performance given Appendix- 'A' to the said Regulations, time period for such compliances is provided and going through the same it is clear that 15 days time from the date of application is provided. As already observed above as per Complainant so also as per I.G.R.Cell, Chandrapur's order the form A-1 application was given on 25/07/2011, the demand note was given late i.e. on 9/9/2011 so apparently there is failure in Performance of Standard provided in the Regulation by the concerned staff of the Warora O&M Dn. and because of laches on the part of the concerned staff the Respondent Licensee is require to pay claim for failure in Standard of Performance in that respect.

5. Admittedly the receipt of test report was submitted on 10/09/2011. As per complainant electric connection was given to him on 21/09/2011. So from the date of submission of test report by the complainant the electric connection was provided within 12 days. the complainant has also made grievance in respect of excess amount recovered from him and claimed refund of excess amount with interest. As per quotation Rs. 1440/- has been demanded towards Security Deposit, apart from the Rs.15/- fixed service connection charges and Rs. 25/- registration and processing charges totaling Rs. 1440/-. Admittedly that amount has been deposited on 9/9/2011. Considering the load of 0.7 KW, the amount of Security Deposit, that too, for residential electric connection seems to be excessive. Nothing has been explained in the reply from the side of the Respondent Licensee. There appears to be substance in the grievance of the complainant in that respect.

6. So considering the above observations and findings this Forum is passing the following order.

**ORDER**

- (1) The Complaint No. CGRF/NZ-R/363/2011 is hereby partly allowed.
- (2) The Respondent Licensee is directed to pay compensation @ Rs.100/- per week from 10.08.2011 to 09.09.2011. So also to refund the excess amount recovered from the complainant towards Security Deposit as observed in the order above.
- (3) Compliance report is to be submitted within two months from the date of receipt of order.
- (4) In the circumstances, parties to bear their own cost.

Sd/-

Sd/-

Sd/-

**MEMBER**

**MEMBER SECRETARY**

**CHAIRMAN**

**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)**  
**(Order Per Chairman Dtd.: 5<sup>th</sup> March, 2012)**

**CONSUMER GRIEVANCE REDRESSAL FORUM**  
**NAGPUR ZONE (RURAL) M. S. E. D. C. L.**  
 Plot No.12, Shrikrupa, Vijaynagar, Chhaoni,  
NAGPUR – 440 013

Shri T.M.Mantri  
 Chairman  
 (Mb)9673215771

**(O) 0712- 2022198**

Shri M.G.Deodhar,  
 Member  
 (M)9422805325

NO. CGRF/NZ/R/

Date :

**Certified copy of order dtd 05<sup>th</sup> March,2012 in Case No. 363/2012 is enclosed herewith.**

Member-Secy/ Exe.Engineer,  
 C.G.R.F.(NZ-R)MSEDCL  
N A G P U R

To.

Shri Jayratnam Ramchandrarao Gajralwar, At Vitthal Mandir Ward, Warora, Taluka Warora, Dist. Chandrapur.

Copy S.W.Rs.to :-

1. The Chief Engineer,Nagpur Zone (Rural)MSEDCL, Vidyut Bhavan,Katol Road, Nagpur.

Copy F.W.Cs.to:

1. The Executive Engineer/Nodal Officer., O&M Circle Office, MSEDCL.Chandrapur.  
 2. The Executive Engineer,C.C.O&M Dn., MSEDCL, Warora.  
 for information and necessary action.

Address of **the Electricity Ombudsman** is given as below.

Office of - **The Electricity Ombudsman,**  
 12, Srikrupa, Vijay Nagar,  
 Chhaoni, Nagpur-440 013  
 Ph.No.0712-2022198.

