

**BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM**

**M. S. ELECTRICITY DISTRIBUTION CO.LTD.**

**(NAGPUR ZONE – RURAL) NAGPUR.**

**Application/Case No. CGRF/NZ/Rural/ 23 of 2006**

Applicant : Shri Kamalkishor Tulsidas Malpani, 52,  
Rathi Marg, Pulgaon, Dist-Wardha 442302..  
-- VS --

Non-applicant. : 1.Executive Engineer,C.C.O&M Dn.,MSEB,  
Arvi.  
2.Executive Engineer/Nodal Officer  
Internal Grievance Redressed Unit, Circle Office,  
M.S.E.B. Wardha.

Quorum : 1.Shri N.J.Ramteke,Chairman  
2.Shri M.G.Deodhar,Member

Appearance. : 1. Shri K.T.Malpani .  
2. Shri Y.J.Lakshane,E.E.

**ORDER**

( Passed this 12<sup>th</sup> day of May, 2006)  
( Per Shri N.J.Ramteke, CHAIRMAN)

The Applicant presented this application in schedule "A" of the M.E.R.C. (CGRF&O) Regulations, 2003 (hereinafter called the Regulations) for redressal of his grievance on the grounds that he applied for new electricity connection for his agricultural motor pump in 2000 in respect of his field survey No. 257 of village Sonara, Taluka Deoli, Dist-Wardha but the electric pump is still not connected with electricity. He made number of applications to non-applicants though he had paid the requisite amount as per demand note. the non-applicants have made abnormal delay in supply of electricity to his agricultural motor pump and, therefore, he is in a heavy financial loss coupled with mental harassment by non-applicants. Applicant demanded compensation of Rs. 80,00,000/- for the mental, physical and financial loss caused to him by non-applicants.

On receipt of application, acknowledgement was given to Applicant as required under Regulation 6.6 of the Regulations. Copy of the grievance application

in schedule 'A' alongwith the enclosed documents were sent to the E.E. concerned and the Nodal Officer for their parawise comments as required under Regulation 6.7 and 6.8 of the Regulations. The non-Applicant submitted their parawise comments to the Forum vide their letter dated 19.4.2006 (record page 42-44). Copy of parawise comments was given to Applicant alongwith enclosed documents as submitted by non-applicants. Notices for hearing both the parties were issued and served as required under Regulation 6.9 of the Regulations . Thus all the procedure as required under principle of natural justice is followed. The Forum heard both the parties on 8/5/2006 . Thus a fair and reasonable opportunity of hearing is given to both the parties for submission of their respective case.

Applicant has given elaborately the reasons for seeking redressal of his grievance in the enclosed papers with application in schedule 'A'. The main contention of Applicant is that he applied for electricity connection for the electric motor pump in his field Survey No. 257 of village Sonara in 2000 . He received a grant of Rs. 30000/- from the government for this electric motor pump. He deposited Rs. 2121/- as per the demand note in 2003. He also deposited Rs. 3150/- under protest on 21.4.2003 alongwith test report. Thus he deposited additional amount as required by non-Applicants as cost of the meter. He made constant correspondence with non-applicants about electricity connection but without any result. He approached the I.G.R.U., Wardha by application in schedule 'X' . He is not satisfied with the decision of the I.G.R.U., Wardha and , therefore, he approached this forum for redressal of his grievance.

The main contention of non-applicants in their parawise comments dated 19.4.06 that Applicant made an application for supply of new electric connection for electric motor pump in 2000. The demand notice was issued to him and Applicant deposited Rs. 2121/- on 18/11/2000 . Applicant also deposited Rs. 3150/- as a cost of meter on 21/4/2003 alongwith test report. The non-applicants further submitted that the D.L. has to spent nearly Rs. 40000/- to 50000/- per pump on the loan received from Rural Electricity Corporation(REC) , there is no regular supply of the loan from R.E.C. and , therefore, cases of connection of electricity pump are pending. Applicant deposited Rs. 3150/- as cost of meter in 2003 alongwith test report. It means, Applicant took 3 years for submission of the test report and the additional amount of the meter. Applicant failed to deposit the requisite amount and the test report in 2000.

The non-applicants have taken all care and precaution of new electric supply to Applicant and, therefore, no injustice is caused to him. The non-applicants have also given a letter date. 27/12/2005 expressing regret about the delay in supply of electricity to Applicant. The IGRU has also given relief to Applicant and no discrimination is made between Applicant and non-Applicants .

At the time of hearing, Applicant reiterated the points as raised by him in his application. Shri Y.J.Lakshane , E.E. submitted before the Forum at the time of hearing that a line and connection will be provided to Applicant upto 31<sup>st</sup> May, 2006 on installation of agricultural motor pump by Applicant though his waiting list number is 28 .

Shri Lakshane made submission on behalf of non-applicants, stating that no injustice is caused to Applicant.

On perusal of the record and hearing both the parties , the Forum come to the conclusion and decide as under.

It is a matter of fact that Applicant made an application for new electricity connection in 2000 but at the same time it is a matter of fact that he submitted cost of meter in 2003 alongwith test report. Applicant has not taken any care in submitting test report between 3years . It appears from the record that no purposeful delay is caused by the non-applicants The waiting list of Applicant for pump is 28 and was informed by the A.E.,Pulgaon under his letter date. 2005 to Applicant. The District Consumer Dispute Redressal Forum, Wardha had directed Applicant to approach the proper authority constituted under Electricity Act, 2003. The non-Applicants are ready to provide new electric connection to Applicant by 31<sup>st</sup> May,2006 on installation of the motor pump by Applicant. This was agreed and decided between Applicant and non-applicants at the time of hearing that Applicant will install motor pump in his field and report to the non-applicants. On receipt of installation report, non applicants will supply electricity to Applicant by 31<sup>st</sup> May,2006. In view of this position , there is no grievance remains for redressal.

As per the compensation of Rs. 80,00,000/- , Applicant failed to submit any document in support of the amount of compensation. The Forum can not accept demand for such amount. There is no evidence or record to support this claim that there is a direct loss to Applicant due to non supply of electricity. This demand of compensation can not be accepted and, therefore, needs to be rejected.

In view of the above position, the present application is disposed off with directions to Applicant that he should install electric motor pump in his field and report to the non-Applicant. Non-Applicant should supply electricity to Applicant before 31<sup>st</sup> May,06 subject to report of installation by Applicant.

There is no order about any cost of the case and parties to bear their own cost. The demand of Applicant about compensation of Rs. 80,00,000/- is rejected.

**CHAIRMAN**

**MEMBER**

CONSUMER GRIEVANCE REDRESSAL FORUM  
M.S.E.D.C.L.(NAGPUR ZONE – RURAL)NAGPUR

-o0o-