

BEFORE THE CONSUMER GRIEVANCE REDRESSAL FORUM

M. S. ELECTRICITY DISTRIBUTION CO.LTD.

(NAGPUR ZONE – RURAL) NAGPUR.

Application/Case No. CGRF/NZ/Rural/ 24 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 12th day of May, 2006)
(Per Shri N.J.Ramteke, CHAIRMAN)

This application in schedule "A" of the M.E.R.C. (CGRF&O) Regulations, 2003 (hereinafter called the Regulations) for redressal of his grievance is submitted by Applicant on the grounds that non-applicants have not supplied new electricity connection for his motor pump though he applied for the same in 1997. He made frequent requests and applications to non-applicants and paid the requisite amount but they have not supplied the electricity supply. He sustained a heavy financial loss coupled with mental harassment.

On receipt of application, acknowledgement was given to Applicant, copy of the application alongwith the enclosed documents was sent to the non-applicants for their parawise comments, notices for hearing were issued and served to both the parties, copy of parawise comments was given to Applicant alongwith notice for hearing. The Forum heard both the parties. Thus the procedure as required in the

Regulations in terms of natural justice, is followed by the Forum . The Forum gave fair and reasonable opportunity of the hearing to both the parties.

The main contention of Applicant is that he applied for new electricity supply in 1997 for his field survey No.72 , village Malkapur .Taluka Deoli District-Wardha. He got the loan from the Bank and other private financial institutions. He deposited Rs. 1371/- on 7/4/1997 as per demand note given by non-applicants alongwith test report. He made many oral requests and application on various dates to non-applicants but without any result. The non-Applicant harassed him in this respect though he has deposited requisite amount and submitted the test report. He came in substantial financial loss as he could not start the electric motor pump in his field . He approached the district Consumer Dispute Redressal Forum, Wardha . The District Forum advised him to refer his grievance to competent authority constituted under Electricity Act,2003. Therefore, the present application.

Applicant approached Internal Grievance Redressal Unit,Wardha(in short I.G.R.U.) . He is not satisfied with the decision given by I..G.R.U. , Wardha. The non-applicants submitted their parawise comments vide letter date. 19/4/2006 . They admitted that Applicant made application for supply of new electric connection in 1997 and he deposited Rs. 1371/- on 7/4/1997 . Applicant also submitted test report on 16.4.2000. The non-applicants further submitted that the D.L. has to incur an amount of Rs. 40000 to 50000 on electricity supply to electricity motor pump and on the loan received from Rural Electricity Corporation(REC) . There is no regular supply of the loan from R.E.C. and , therefore, electricity motor pump cases are pending. The non-Applicant informed Applicant on 14/2/2002 for installation of the pump but Applicant failed to install the motor pump and,therefore his test report was cancelled. This was brought to the notice of Applicant in the “URJAMITRA” meeting date. 20/3/2003. As per M.E.R.C. direction and the circulars of the Head office, the meter cost is required and , therefore, the demand for meter cost was given on 25/2/2002 to Applicant but he failed to deposit the same. He has not made any correspondence with the non-applicants. The fresh demand note on 27/12/2005 was given to Applicant to deposit Rs,. 2250/- . Applicant deposited this amount on 31/12/2005 alongwith the fresh test report. There is no delay or harassment caused to Applicant by non-applicants. There is no cooperation from Applicant to the D.L. between period 2002 to 2005. The non-Applicant informed Applicant under their

letter date. 6/2/2006 and 21/2/2006 for installation of the pump. The non-applicants made clear in parawise comments that Applicant should install the pump and on receipt of information, electricity connection will be given to him.

At the time of hearing, Shri K.T.Malpani reiterated the grounds as mentioned in his application. His main emphasis is on the ground that this is a case of abnormal, purposeful delay on the part of the non-applicants to harass him . Shri Y.J. Lakshane, E.E. denied the allegations as made by Applicant at the time of hearing. He submitted before the Forum that new electricity connection will be supplied to Applicant by 31st May,2006 on installation of pump by Applicant.

On perusal of the case record and on hearing both the parties, the Forum comes the conclusion and decide as under.

It is a matter of fact that Applicant made an application for new electricity connection in 1997 but it is also a matter of fact that Applicant submitted test report in April, 2002. Non-Applicants already informed on 14/2/2002 to Applicant about installation of pump but he failed to do so. The Forum does not find any purposeful delay on the part of non-applicants. The Forum also does not find any cause or evidence in the harassment of Applicant. Since non-applicants are ready to provide electricity supply to Applicant by 31st May,2006 on installation of the pump by Applicant, the case for redressal of grievance does not remain. The main purpose of application is about electricity supply and the D.L. agreed for the same.

Applicant failed to establish his case about mental harassment and the compensation for financial loss.

In view of above position and circumstances, the Forum disposed off the present application with the direction to Applicant to install pump in his said field and report to non-applicants. The non-applicants are directed to supply new electricity connection to Applicant by 31st May,2006 subject to installation of pump. The Forum does not find any substance in demand of compensation as raised by Applicant and , therefore, it is rejected. The parties to bear their own cost.

CHAIRMAN

MEMBER

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

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