

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

COMPLAINT NO. 368/2012

Shri Ashok Ramaji Shende,
At Post - Wagholi,
Taluka Hinganghat, District Wardha.

.. Complainant

.,VS.,

1. Executive Engineer,
MSEDCL, O & M Division,
Hinganghat.
2. Executive Engineer/Nodal Officer,
I. G. R. C., Circle Office,
MSEDCL, Wardha. .

Respondents

Applicant's Representative Shri B.V. Betal.

Respondents Representative : 1) Shri P.B.Ingle, JE, O&M Dn., Hinganghat.

CORAM:

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

ORDER

(Per Chairman Dtd. 16th April, 2012)

1 The complainant has approached the Forum in respect of his grievance about delay in providing electric connection and claimed for compensation as per Regulations. The complainant case in brief is that he has submitted application for 3 HP Agricultural connection on 6.4.2009 but the demand note was received late i.e. 27.07.2009, the amount therein was deposited on 31.07.2009 so also Test report was given on 20.8.09. In spite of oral and written requests for electric connection, claim of the complainant has been superseded by the then Asstt.Engineer, Ghorude, whereby complainant has been put to loss of Rs.5.00 lakhs and respondent Licensee is responsible therefore. Complainant has claimed compensation as per Regulations. It is further alleged that the electric connection was provided late on 3.12.11 and the complainant has made demand for compensation on 21.12.2011. Further allegations have been made that in demand note Rs.500/- has been demanded in excess which deserves to be refunded with interest. For mental harassment caused, the complainant has claimed Rs.30,000/- alongwith Rs.2000/- towards traveling expenses and Rs.1000/- towards filing the proceeding. It is alleged that complainant had approached the IGR Cell on 22.9.2011 wherein order was passed which is not acceptable to the complainant. In any case he has approached this Forum for Redressal of his grievance.

2 Notice was issued to the concerned office of the Respondent Licensee who in turn filed reply stating that complainant in the complaint of the IGR Cell Wardha has passed order and given directions for providing electric supply immediately. The electric supply has been provided on 3.12.2011. The Complainant has made claim in excess which were not placed before the IGRC and thus claim needs to be rejected.

3 As far as date of submission of application, issuing demand note, remittance of the amount and that of test report, the same have been admitted. Complainant's name was included in seniority list. The work of providing electric connection to the consumer who have deposited amount by March 2010 was given to M/s Varad Electricals Pusad on 25.6.2010 and the target was set-up to December 2010. It is stated that in 2010-11 i.e. July,2010 to Oct.2010 it was heavy rains so there was no momentum to the work. In December 2010 some of the agriculturist raised objection. The Superior office considering the same given instructions for completing the said work till March 2011. In view thereof connection could not be provided. However, till March 2011 in all 619 connections have been effected and connection to the complainant was completed on 3.12.2011. Thus there is no intentional delay therefore complainant's claim for compensation needs to be rejected.

4 In the demand note Rs.500/- has been mentioned towards cost of broken pole and it is as per consent of the consumer who installed the meter box on the said pole. Claim for refund of the said amount needs to be rejected. Lastly pressed for dismissal of complaint.

5 Heard Shri Betal, learned representative for the Complainant and Shri Ingle,Jr.Engr., learned representative for the Respondent Licensee. Certain documents came to filed on record by both the parties. As observed there is no dispute with regard to date of application till depositing the amount and lastly providing electrical connection to the complainant i.e. 3.12.2011. Admittedly complainant has paid the demand on 31.7.2009 and test report was given on 20.8.2009. It is admitted position and as is clear from record that the complainant pursuing for providing electrical connection time to time such as 16.9.2011, 22.9.2011 approached to IGR Cell. The copies thereto bears seal and signature of the recipient of the office of the Respondent Licensee. It is further alleged that complainant has lodged written complaint for compensation by letter 21.12.2011 and copy thereof is on record with seal and signature of the Respondent on behalf of the concerned office of the Respondent Licensee. During the course of argument it has not been disputed.

6 The complainant representative has referred to the provision of SOP Regulations 2005 in support of his claim for compensation as against this learned representative for Respondent Licensee has submitted that there was no intentional delay and for the reasons given in reply there was delay. Admittedly complainant had to approach the authority even for getting electric connection. The IGR Cell has passed order in respect thereto. The electric connection was given late. Here it is pertinent to note that the alleged seniority list which has been referred to in the reply by Respondent Licensee has not been brought on record. Complainant has categorically averred in the complaint about superseding his connection by the then Asstt.Engr in reply as well as in argument, nothing has been stated on behalf of the Respondent Licensee in that behalf. Keeping silence on such vital averments and as per settle legal position it has to be treated as admission. There is no evidence brought from the side of the Respondent Licensee to substantiate/support such submissions. It was expected to place all the documents related to the controversy before this Forum but it has not been done so. In view thereof it invites for drawing adverse inference against it.

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 16th April,2012 in Case No. 368/2012 is enclosed herewith.

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

To,

Shri Ashok Ramaji Shende, At Post Wagholi, Tq. Hinganghat, Dist.Wardha.

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.Wardha

2. The Executive Engineer,C.C.O&M Dn., MSEDCL, Hinganghat,.

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.

