

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)

COMPLAINT NO. 366/2012

Shri H.B. Rathod,
Prop.Mradula Chemicals,
'Ashirwad', Old Power House,
Ramnagar, Gondiya.

.. Complainant

.,VS..

1. Executive Engineer,
MSEDCL, O & M Dn.Gondiya

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

Respondents

Applicant's Representative Shri Sunil Rathod.

Respondents Representative : 1) Shri Anand M. Jain, Asstt.Engineer, Gondiya.

CORAM:

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

ORDER

(Per Chairman Dtd. 30th April, 2012)

1 The complainant has submitted application for enhancement in load from 40 H.P. to 55 H.P. on dtd. 18/02/2011. Demand note issued late on 04/07/2011 and the amount was immediately paid on 5/7/2011. According to the complainant Respondent does not incurred any expenses while granting extension of additional load of 15 H.P. In view of extension of necessary infrastructure only office note sheet was required to be prepared for getting sanction. For causing delay the complainant approached IGRC, Gondiya on 05/09/2011 and the same matter was decided by necessary authority on dtd. 04/11/2011 directing Respondent to pay Rs. 1700/- to the complainant with further directions to recover the same from the concerned officer and to take appropriate action. It is alleged that till filing of the complaint the Respondent Licensee did not pay Rs. 1700/- hence it has been compelled to approach for Redressal of grievance claiming Rs. 1700/- alongwith the interest of 18%, penalty at the rate of Rs. 1000/- per day for delay so also to pay compensation of Rs. 1600/- for delay in giving supply to the consumer and all the amount be recovered from the defaulting staff for such acts. So also to take adverse entries in the service record.

2. In pursuance to the notice to the Respondent Licensee, appearance has been put in and accordingly parawise comments filed stating that there is no ill-means for delay but it is only because of official work policy. As work of theft detection and recovery of arrears was continuously undertaken as per instructions of higher authorities. It is stated that after payment and submission of test report the enhancement was done immediately, without delay

and further stated that committee has been formed for fixing responsibility for execution of the order of I.G.R.C.,Gondiya. The amount as per order will be credited in the energy bill of the consumer so also stated that subsequent accrued action as per rules of the company.

3. Heard Shri Sudhir Rathod, Ld. Representative for complainant and Shri Anand M. Jain, Asstt.Engineer,Gondiya Ld. Representative for Respondent Licensee. So also gone through the return notes of arguments. Admittedly the application for enhancement of load was submitted on 18/02/2011 and Demand Note was issued on 04/07/2011 which admittedly deposited by the complainant as per sheet of the Respondent. the copies of relevant documents have been referred to. Admittedly IGRC, Gondiya has passed order on dtd. 04/11/2011 giving directions for recovery of Rs. 1700/- from the concerned responsible staff. The enhanced load was sanctioned after depositing of amount. Admittedly the increasing load in the bill effected from Aug.,2011. The complainant approached IGRC/Gondiya in respect of grievance and the said authority has passed order on 04/11/2011 giving directions for payment of Rs. 1700/- to the complainant by recovering it from the concerned staff and to take appropriate action against them.

4 The grievance of the complainant that till date of filing of the present complaint on 04.01.2012 the compliance of IGRC, Gondia's order not made hence it is making grievance. Considering the written notes of arguments filed on behalf of the parties the submission of the complainant of not incurring any expenditure for increasing load has remained uncontroverted. The standard for performance fixed in the Regulation by the Hon.Commission is binding on the Distribution Licensee, else its liability to pay compensation at the rate prescribed in Regulation. Before IGRC/Gondiya parties made submission and the said authority passed order for payment of Rs. 1700/- to the complainant by recovering from the concerned staff and to take appropriate action as per rules against them for controverting the position. Admittedly nothing has been informed about same and only after approaching to the Forum it revealed of non compliance till filing of the complaint. During course of submission as well as written submission on 6/3/2012 it has been stated that the part of the order of IGRC with regard to money matter is been settled and amount has been credited in the energy bill of complainant by giving details. The complainant has not disputed the same but at the same time submitted that the rest of the order needs to be fulfilled by the Respondent Licensee. It has been stated for compliance submission by Respondent Licensee that the amount as per direction of IGRC, Gondia is already credited in energy bill of the complainant. This has been not disputed from the side of the complainant. So it is thus clear that part of the order of the IGRC has been complied with may be.after filling of the present proceedings, but nothing has been stated about remaining part of the order. The load of the supply was admittedly enhanced from Aug.,2011 i.e. immediately after payment of the amount as per Demand Note but the Respondent submission that said part of the compliance on the part of the Respondent was complied that within the period has not been disputed. After depositing the amount and giving of Test Report, it was done within a month. So this Forum is inclined to accept the said submission of the Respondent Licensee. However the fact remains that the rest of the order of IGRC, Gondiya remained to be complied with. Hence the Forum proceed to pass following order. Needless to say that had if the Respondent Licensee would have taken prompt steps, complainant would not have been required to approach IGRC and then before Forum. Consequently the claim made for awarding cost, may be in reasonable terms, appears to be just, legal and proper. Consequently the following order needs to be passed.

Order

1. Complainant No.366/2012 is hereby partly allowed.
2. Respondent Licensee is directed to make compliance of the order of I.G.R.C., Gondiya for taking appropriate action as per rules against the concerned officer/staff of the concerned office.
3. Respondent Licensee is to pay token cost of Rs.500/- to the complainant for the present proceedings and said amount can be recovered from the concerned officer / staff.
4. Rest of the claim of the complainant is rejected.
5. Compliance report to be made within three months from the date of receipt of this order.

MEMBER MEMBER SECRETARY CHAIRMAN
CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)
(Order Per Chairman Dtd.: 30th April, 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 30th April,2012 in Case No. 366/2012 is
enclosed herewith.**

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

To.

Shri H.B.Rathod, Prop. M/s Mradula Chemicals, 'Ashirwad', Old Power House Road, Ramnagar, Gondiya.

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

