

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

**COMPLAINT NO. 349/2011**

Shri Ramdas Gopala Chafle,  
At Burkoni,  
Taluka Hinganghat,  
Dist. 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 Represented by Shri B.V.Betal.

Respondents represented by Shri A.C. Karande, Jr.Engineer, Hinganghat.

**CORAM:**

Shri T. M. Mantri, Chairman.

Shri M. G. Deodhar, Member.

Ms. S. B. Chiwande, Member-Secretary.

**ORDER**

**(Per Chairman Dtd.: 16<sup>th</sup> January, 2012)**

1 Applicant complainant has filed the present complaint against the Respondent/Licensee in respect of his grievances of non supply of electric connection and also claim compensation. In substance the complainant grievances are that he had submitted application for electric connection for his agriculture field on 11.1.2008. The demand note was issued to him on 7.4.2008 and he has deposited the amount on 28.5.2008. The complainant has alleged that he has submitted Test Report in the concerned office of the Respondent/Licensee but it was misplaced hence the then Asstt.Engineer Mr. Ghorude asked him to submit new Test Report. Accordingly when he went for submitting new Test Report

it was refused to be accepted and he was asked to take back the amount on the ground that as his application is too old, no electric connection can be given on that basis. It is further alleged that the complainant has meet the newly joined Asstt.Engineer and given him Test Report but no acknowledgement thereof has been given to him. According to the complainant he is entitled for electric connection. There is abnormal delay therefore he is also entitled for compensation of Rs. Seven lakhs on account of loss. He has been required to suffer for last 3 years. He has also claim Rs.15000/- towards mental harassment and Rs.3000/- towards traveling expenses. He has further requested for taking appropriate action against the concerned officers. According to him he has submitted application before IGRC on 4.7.2011. Hearing thereof was taken placed on 12.9.2011, however, till date no order has been passed and he has not received any order.

2 As per Regulation notice was issued to the Respondent/Licensee for submitting parawise comments. Accordingly parawise comments came to be filed on 13.10.2011. Wherein the claim of the complainant has been denied. It is submitted that the complainant had submitted application for 3 HP electric supply connection to his agriculture field for which the existing LT line was to be extended by erecting one pole. Demand note was accordingly issued on 07.04.2008. Compliance was necessary to be required within 60 days, the complainant did not raise any complaint within time and on 24.12.2010 written complaint had been filed in Sub-division office. In view thereof he is not entitled for any compensation and relief.

3 Reference has been made to Regulation 12. It is further stated that after depositing the amount as per demand note on 28.5.2008, the complainant has not submitted test report till 9.3.2010 hence notice was issued to him in that respect on 9.3.2010. Reference has made to letter dt.3.10.2011 whereof A-1 application filed by the complainant has been on account of non submission of Test Report. Lastly it is stated that Ag. electrical supply is taken under the scheme as well as upon availability of material and seniority list upon submission of the Test Report. There is no intentional delay on the part of the respondent/licensee. Complainant is not entitle for any relief. Excess amount recovered from the complainant will be remitted as per rules and lastly prays for dismissal of the complaint.

4 Heard both the parties. The complainant through his representative Shri Betal and Respondent/Licensee through Jr.Engineer. During the course of argument certain documents came to be filed on behalf of the parities. Similarly written note of argument came to be filed on behalf of the complaint. In spite of granting chance Respondent/Licensee preferred not to file written note of argument but relied on document, record and oral submission.

5 Upon considering the rival submission and on going through the records, it is not in dispute that complainant has deposited the amount under demand note dt.7..4.2008 on 28.5.2008. Main controversy between parties in respect of submission of Test Report. Admittedly as per the relevant provisions the application can not be complete in all respect unless test report is submitted while making other compliance. According to the complainant he has submitted Test Report but it was misplaced objected from the side of the respondent/licensee. Here it is pertinent to note that complainant has not given any details as to on which date the said Test report was submitted. The documents filed by the complainant himself shows that there is one application dt.24.12.2010. Recital thereof clearly shows that there is no whisper about giving of Test Report, misplacing

thereof and demand of new test report as alleged by the complainant in the complaint. Other document is dt.25.3.2011. On going through the same it is clear that complainant has averred therein that as he has been asked to give other test report today on 25.3.2011 when he has offered the test report to Jr.Engr. Shri Ingle he has refused to accept the same. Reference has been made about 24.12.2010 in this letter also. In the written notes of argument the attempt has been made from the side of the complainant making improvement in his stand which is contradictory to earlier stand. More particularly in the letter dt.24.12.2010. According to the complainant the then Asstt,Engineer was working there till June 2011 and new Asstt.Engineer has resumed the said office thereafter.

6 On behalf of Respondent/Licensee certain documents came to be filed which have been referred to during the course of argument, copy of letter dt.9.3.2010 addressed to the complainant is filed on record. The recital thereof clearly shows that during that date i.e. 9.3.2010 as the test report was not provided by the complainant it was informed to him that his name is being deleted from the seniority list and he should submit original receipt for taking back the amount. It was send by registered post and photo copy of post receipt thereof, with some other consumer has been filed on record. Similarly the letter addressed to the Executive Engineer, Hinganghat dt.26.4.2010 mentioned therein that in spite of sending notice to the applicant/consumer 24 Nos. they have not submitted test report till 31.3.2010 hence there name may published in the news paper asking them to take back the amount paid under demand with the said letter copy of such applicant/consumers wherein there is name of the complainant in front of serial number 9. On behalf of the complainant learned representative has referred the Xerox copy of news paper published on behalf of respondent licensee that in the said list name of the complainant is not appearing therefore complainant name has not been deleted and he is entitle for electric connection and other relief. On going the said documents it is clear that its date 24.12.2010 and dates, demand note referred but they are from the period April 2009 to March 2010. The said period is not at all relevant, as per as this case is concerned. In view thereof the reliance of the complainant on the said document is of no value.

7 As already observed above, in the letter of 25.3.2011 the complainant has alleged for first time about the alleged misplaced of test report and calling of second test rest which has been refused on 25.3.2011 by the Jr.Engineer. When query was made to the learned representative of the complainant to point out from the record where prior to that any grievance was made in writing in that respects he could not point out. Earlier observations made above clearly shows that this seems to be by way of an after thought. Nowhere complainant has alleged about non receipt of letter dt.9.3.2010. The fact that from 28.5.2008 i.e. depositing the amount as per demand note, it seems that complainant has not taken further steps i.e. submission of test report whereby application could have been said to be completed in all respects. After waiting for a period of 2 years the Respondent/Licensee has taken further steps of issuing of letter and further taking steps of publishing name of the consumer who have not submitted the test report. There is nothing in rebuttal from the side of the complainant in that respect even during the course of argument the learned representative could not make any submission in that respect main bone of contentions was that amount was deposited as per demand note.

8 Available material on record, as already observed, Complainant approached IGR Cell & the matter was heard and order was passed after filing of the present complaint i.e. 20.10.2011. The recital of the said order also clearly shows that no evidence has been produced on record before said authority also in respect of submission of Test Report. So by considering all material on record as well as argument of the parties it is clear that complainant has failed to make out the case for getting relief prayed for. Needless to say that if the complainant still desires to have electric connection he can very well make necessary compliance but his application duly completed to be considered from date when he fulfill all the compliance. This forum is passing unanimous order.

In the result following order is passed :

**ORDER**

- 1) Complaint No. 349/2011 filed by complainant is hereby stands disposed off in view of above observations.
- 2) No order as to cost.

Sd/-

Sd/-

Sd/-

**MEMBER                      MEMBER SECRETARY                      CHAIRMAN**  
**CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR (RURAL)**

**(Order Per Chairman Dtd.: 16<sup>th</sup> January, 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 16th January,2012 in Case No. 349/2011 is  
 enclosed herewith.**

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

To,

Shri Ramdas Gopala Chafle, At & Post - Burkoni, Taluka 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.