

CONSUMER GRIEVANCES REDRESSAL FORUM;
MSEDCL NAGPUR (RURAL) ZONE NAGPUR
COMPLAINT NO. 77/2013

Shri Janardhan Shankarrao Lawankar
At.Po.Sahur(Dhadi)
Tq.Ashti
District - Wardha.

Complainant

,,VS.,

1. Executive Engineer,
MSEDCL,O&M Division,
Arvit.

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

Respondents

Applicant represented by

1) Shri Janardhan S.Lawankar himself

Respondents represented by

1) Shri M.V.Deshmukh, Assistant Engineer, Arvi Dn..

2) Shri S.P.Barai, Assistant Engineer, Ashti Sub Dn.

CORAM:

Shri Vishnu S. Bute, Chairman.

Adv. Gauri D. Chandrayan, Member

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

JUDGEMENT

(Delivered on this 08th day of October, 2013)

2. Shri Janardhan Shankarrao Lawankar, At.Po.Sahur, Tq.Ashti Dist.Wardha (hereinafter referred to as, the applicant) is an agricultural consumer. His consumer no. is 402650910355 His contention is that he is entitle for the benefits of, "The krishi sanjiwani yojana 2011". However the respondent deprived him from the benefits of the scheme. Secondly, 3 HP agricultural pump is installed on his Well. However the respondents charged him presuming that the 5 HP pump is installed. Thirdly, the respondents are not giving him the bill as per the actual meter reading. He approached the IGRC Wardha. His application had been dismissed vide order passed under

no.SE/Wardha/Tech/IGRC/4328 dated 30-07-2013. Feeling aggrieved by this order the applicant presented the instant application under the provisions contained in Regulation 6.4 of the MERC (CGRF and E.O.) Regulations 2006.

3. A notice was given to the respondent. The respondent submitted reply under no.EE/Arvi/O&M/Tech/3900 dated 20-09-2013. The case was fixed for personal hearing on 07-10-2013. Shri Janardhan S. Lawankar was present personally. He presented his case himself. Shri M.V.Deshmukh, Assistant Engineer, Arvi Division and Shri S.P.Barai, Assistant Engineer Ashti, Sub Division, represented the respondents. Both the parties were heard.

4. The applicant argued that he purchased the land from one Shri R.K. Agrawal in June 2011. The connection was in the name of Shri R.K.Agrawal. He applied to the respondent for change of name on 31-10-2011. There was no electric meter for the pump set installed on the Well. He deposited Rs.9290/- on 17-06-2011. He again deposited Rs.285/- as a current bill of June 2011 and Sept. 2011. Thereafter he did not get the electricity bills for the quarter ending December 2011 and March 2012. As such he deposited the current bills upto March 2012. So the respondent should waive the arrears amount of Rs.14,805/- under, the krishi sanjiwani yojana 2011.

Right from the beginning the pump installed on the well is of 3 HP. However the respondent imposed the charges and levies applicable to the pump set of 5 HP. The applicant is entitle for the refund of amount charged in excess.

There was no meter in the land. The respondent installed the meter subsequently. The applicant received the bill for June 2013. However the meter reading shown in the bill is not as per the actual meter reading on the meter. So the bill is wrong. The respondent may be directed to issue the bill as per the actual meter reading.

5. In reply the respondent submitted that the scheme, krishi sanjiwani yojana 2011, was in force upto March 2012. In the month of March 2011 the consumer was in arrears of Rs.24088/-. The details of the scheme and the amount to be deposited by the consumer, to avail the benefits of the scheme, are given in the bill of March 2011. It is true that the applicant deposited Rs.9290/- and Rs.285/-. However this amount was against the bills of March 2011, June 2011 and Sept. 2011. The scheme was in force upto March 2012. To avail the benefits of the scheme the applicant ought to have deposited the current bills of Dec. 2011 and March 2012 also. The applicant failed to deposit the bill amount of December 2011 and March 2012. So he is not entitle for the benefits of the scheme.

It is true that by mistake the pump installed on the well of the applicant was recorded and assessed as that of 5 HP, during the period Dec. 2011 to June 2013. However now the mistake has been rectified and the applicant will be given the credit of Rs.3640/- in the electricity bill of Sept. 2013.

The spot inspection of the meter installed on the well of the applicant will be carried out and the bill will be given as per the actual meter reading, the respondent concluded.

6. We have perused the record. We have heard the arguments advanced by both the parties. It is admitted fact that the applicant purchased the land in June 2011. The pump set was installed even before June 2011. The consumer no. was 402650910355 and the meter was in the name of Shri R.K.Agrawal. The copy of the CPL is also placed on record. As per the bill and the CPL the consumer was in arrears of Rs.24088.36 in March 2011. The details of the krishi sanjiwani yojana and the amount payable by the consumer to avail the benefits of the scheme are given in the bill of March 2011. The details are as under,

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It is admitted fact that during the period of the scheme the applicant deposited Rs.9290/- on 17-06-2011. This shows that the applicant complied condition 1/2 of the scheme. However condition 1/2 of the scheme prescribe,

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Thereafter on 04-11-2011 the applicant deposited Rs.285/- . As per the contention of the applicant this amount was deposited against the current bills of June 2011 and Sept.2011. The scheme was in force upto March 2012. That means the applicant ought to have deposited the current bills of December 2011 and March 2012 to avail the benefit of the scheme. As per the applicant he had not received the bills of these quarters. So he had not deposited the amount. However it is clear that the applicant had not deposited the current bills for the period December 2011 to March 2012. He failed to fulfill the requirements of condition 1/2 As such he is not entitle for the benefits of, the krishi sanjiwani yojana 2011.

The respondent also admitted that inadvertently the agricultural pump installed on the well of the applicant was recorded and assessed as that of 5 HP. However the mistake has been corrected in June 2013. The excess charges levied upon the applicant during the period December 2011 to June 2013 are calculated at Rs.3640/-. This amount will be given a credit in the bill of Sept. 2013. In our opinion the grievance of the applicant on this count is fully redressed.

The respondents also agreed to carry out the spot inspection and to issue the bill as per the actual meter reading. In our opinion the grievance of the applicant is redressed on this count also.

In view of the facts and circumstances discussed above, we pass the following order,

ORDER

- i) Grievance application No.77 of 2013 is hereby dismissed.
- ii) No order as to cost.

Sd/-
(Adv.Gauri D.Chandrayan)
MEMBER

Sd/-
(Ms.S.B.Chiwande)
MEMBER SECRETARY

Sd/-
(Vishnu S. Bute)
CHAIRMAN

CONSUMER GRIEVANCES REDRESSAL FORUM; NAGPUR ZONE NAGPUR
(Nagpur Dtd.08th day of October, 2013)

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

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NAGPUR – 440013

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cgrfnz@gmail.com

(O) 0712- 2022198

NO. CGRF/NZ/

Date :

Certified copy of order dated 08th October, 2013 in Case No.77 / 2013 is enclosed herewith.

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

To,
Shri Janrdhan Shankarrao Lawankar, At.Po.Sahur(Dhadi), Tq.Ashti, Dist.Wardha

Copy s.w.r.to :-

1. The Chief Engineer(NZ), 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, Arvi
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
0712-2596670