

**Before Maharashtra State Electricity Distribution Co. Ltd.'s
Consumer Grievance Redressal Forum
Nagpur Urban Zone, Nagpur**

Case No. CGRF(NUZ)/092/2006

- Applicant : Shri Shriram Mahadeorao Satpute,
R/o Khaparkheda, Ward No. 2,
Tahsil- Seoner,
Dist. Nagpur.
- Non-Applicant : The Nodal Officer-
-Assistant Engineer,
O&M Division-II,
Nagpur representing the MSEDCL.
- Quorum Present : 1) Shri S.D. Jahagirdar,
Chairman,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.
- 2) Smt. Gouri Chandrayan,
Member,
Consumer Grievance Redressal
Forum,
Nagpur Urban Zone,
Nagpur.
- 3) Shri M.S. Shrisat
Exe. Engr. & Member Secretary,
Consumer Grievance Redressal Forum, NUZ,
MSEDCL, Nagpur.

ORDER (Passed on 08.02.2006)

The present grievance application has been filed on 16.01.2006 in the prescribed schedule "A" as per Regulation 6.3 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance

Redressal Forum & Ombudsman) Regulations, 2003 here-in-after referred-to-as the said Regulations.

The grievance of the applicant is in respect of harassment caused to him by the Jr. Engineer one Shri Kolte of the non-applicant Company and in respect of inaction of the non-applicant in the matter of change of name pursuant to the applicant's application dated 13.12.2002.

Before filing the present grievance application, the applicant had approached the Internal Grievance Redressal Unit by filing his complaint dated 09.09.2005 under the said Regulations. The Unit, upon hearing the applicant, replied him under its letter, being letter no. 6947 dated 28.09.2005, that the applicant did not submit the prescribed documents for enabling the non-applicant's Officer to effect change of name and hence the applicant's request for the change of name could not be considered and that a new connection is already granted to him on 02.11.2004 as per his fresh application. The Unit also informed the applicant that the erstwhile Jr. Engineer Shri Kolte has since been transferred and further that instructions have been issued to all the Officers to ensure that they give written replies to the consumers' complaints. The applicant was not satisfied with the reply given to him by this Unit and hence, the present grievance application.

The matter was heard by us on 06.02.2006.

A copy of the non-applicant's parawise report dated 03.02.2006 on the applicant's grievance application submitted before this Forum by the non-applicant as per Regulations 6.7 & 6.8 of the said Regulations was given to the applicant on 06.02.2006 before the

case was taken up for hearing and he was given opportunity to offer his say on this parawise report also.

Documents produced on record by both the parties are also perused & examined by us.

The contention of the applicant is that he purchased the house, being house no. 709 at village Chichola, from one Smt. Vimal Thakare on 30.10.2002 by a registered sale-deed. He applied to the non-applicant on 13.12.2002 for change of name in the meter, being meter no. 9002467445. This connection was in the name of one Shri Vasudeo Balaji Dhale and it continued to be in his name only although he had sold the house to Smt. Vimal Thakare. When the applicant purchased the house in question from Smt. Vimal Thakare on 30.10.2002, the meter in question was standing in name of Shri Vasudeo Balaji Dhale. The applicant's claim is that he had furnished the prescribed forms R & L and also a copy of the sale-deed dated 30.10.2002 before the non-applicant's Officer. No communication, however, was sent to him in response to his application dated 13.12.2002.

According to the applicant, the meter, being meter no. 9002467445, was disconnected on 10.09.2003 and the same was taken away without any notice to the applicant. Thereafter the applicant contacted Jr. Engineer one Shri Kolte who advised him on 05.02.2004 to make payment of the electricity dues outstanding against the house. The applicant, accordingly, informed him about the payment and also filed his application, being application dated 05.02.2004, for restoration of electricity supply to his house. It is his specific complaint that he met the Jr. Officer Shri Kolte from time to time for restoration of electricity supply. However, no action was taken by Shri Kolte and he gave only

empty assurances to the applicant. The applicant again met Shri Kolte after 1 ½ months after 05.02.2004 when Shri Kolte told him that the applicant's power supply cannot be restored and that he will have to apply for a new connection. The applicant strongly contended that Shri Kolte all the while misguided him and deceived him. Ultimately, since the applicant was in need of immediate electricity connection, he made a fresh application for a new connection and also made payment of the demand note amount of Rs.2600/- for this purpose and there upon, a new connection came to be released to his house in November,2004.

The applicant's contention is that although he had approached the Jr. Engineer Shri Kolte from time to time and also filed his several written applications, no reply was given to him in writing even to his single application and that he was mentally harassed by the Jr. Engineer Shri Kolte who not only misguided the applicant but also deceived him.

The applicant has produced copies of the following documents in support of his contentions.

- 1) Internal Grievance Redressal Unit's reply, being letter no. 6947 dated 28.09.2005.
- 2) His application dated 13.12.2002 addressed to the Executive Engineer, O&M Dn., MSEB, Khaparkheda alongwith prescribed forms R & L.
- 3) Sale-deed dated 30.10.2002 in respect of house no. 709 from Village Chincholi by which the present applicant purchased the house from Smt. Vimal Damodhar Thakare.

- 4) Sale-deed dated 11.07.2001 in respect of house no. 709 by which one Smt. Vimal Damodhar Thakare purchased the house from Shri Vasudeo Balaji Dhale.
- 5) His application dated 05.02.2004 addressed to the Jr. Engineer, Khaparkheda Urban in respect of restoration of electricity supply to his house.
- 6) Energy bill dated 05.02.2004 for Rs. 628/- in respect of consumer no. 411280019151 of consumer Shri V.B. Dhale.
- 7) His application dated 22.03.2004 addressed to the Executive Engineer O&M Dn., MSEB, Khaparkheda complaining about non-installation of electricity meter, being meter no. 9002467445.
- 8) His application dated 26.04.2004 addressed to the Dy. Exe. Engineer, Construction and O&M S/Division, (Urban), Khaparkheda again on the subject of installation of electricity meter in the applicant's house.
- 9) His application dated 06.06.2005 addressed to the Dy. Exe. Engineer, Construction and O&M S/Division, Khaparkheda complaining against the behaviour of Jr. Engineer, Shri Kolte.

Relying on these documents, the contention of the applicant is that the Jr. Engineer Shri Kolte caused a lot of harassment and mental torture to him.

He prayed that appropriate action may be taken against Shri Kolte, Jr. Engineer. He has also demanded compensation for his mental torture and harassment.

The non-applicant has stated in his parawise reply that the electricity connection to the house no. 709 in question was in the name of consumer Shri Wasudeo B. Dhale consumer no. DL/1201

(411280019151) and that the applicant did not produce the prescribed documents like A-1 form, X & Y forms & test report, sale-deed etc. with the result that change of name could not be effected.

According to the non-applicant, the electricity supply of the house in question was disconnected permanently on 10.09.2003 because of non-payment of electricity charges. He further contended that a new electricity connection has already been released on 02.11.2004 to the applicant as per his fresh application.

He added that there is no substance in the applicant's grievance application and that the same may be rejected.

We have carefully gone through all documents produced on record by both the parties and also all submissions, written & oral, made before us by both of them.

In the instant case, it is pertinent to note that none of the applicant's applications filed by him before the non-applicant's Officers was replied by the non-applicant. In particular, the applicant's applications dated 05.02.2004, dated 27.04.2004 and his another application dated 06.06.2005 were all duly received by the non-applicant's concerned officials. The applicant's claim is that he did file the application dated 13.12.2002 alongwith the prescribed forms R / L for effecting change of name in the meter, being meter no. 9002467445 which was standing in the name of Shri Dhale. Although the applicant could not produce acknowledgement of his application dated 13.12.2002, there is a reason to believe that this application was also duly received by the addressee namely the Executive Engineer, O&M Division, Urban, Khaparkheda. The reason for this is that the applicant did make a mention in his application dated 26.04.2004 of the fact that

he did submit his first application dated 13.12.2002 for change of name and that the non-applicant never replied him that his application dated 13.12.2002 was not received or there were any deficiencies in his case.

Copies of the various applications produced on record by the applicant go to show that he has diligently approached the concerned officials from time to time for effecting change of name. However, not only his name was not incorporated in place of the erstwhile consumer Shri Dhale but the non-applicant's Officer did not also bother to give any replies to the applicant's several applications. The non-applicant, during the course of hearing, could not offer any plausible explanation as to why the applicant's applications were not at all replied.

The record shows that the electricity connection was permanently disconnected on 10.09.2003 on account of non-payment of electricity dues outstanding against the premises. However, the supply of electricity was not restored even upon payment of these outstanding dues within a period of six months from the date of disconnection.

Instead of restoration of electricity supply to the premises in question, the non-applicant's officer wrongly advised the applicant to make a fresh application for a new connection.

In this case, the applicant has vehemently stressed the point that he was harassed by the Jr. Engineer Shri Kolte from time to time and that he was misguided and deceived by him. The entire chain of events as evidenced by the documentary proof submitted by the applicant goes to show that there is a substance in the applicant's complaint. Had the applicant been advised properly by the Jr. Engineer Shri Kolte, the applicant's harassment could not have occurred. The

non-applicant's statement that the Jr. Engineer Shri Kolte has now been transferred can not be accepted as an adequate explanation for the wrong doings of Shri Kolte.

We, therefore, direct the Chief Engineer, Nagpur Urban Zone, MSEDCL, Nagpur to take stringent action against the Jr. Engineer Shri Kolte in the matter of the applicant's harassment.

In the instant case, the applicant has paid demand note amount of Rs. 2600/- for a new connection. The requisite fee for change of name is Rs. 1600/- as disclosed to us during the course of hearing by the non-applicant.

The non-applicant could have easily effected change of name and in that case, the applicant was required to pay the fee of Rs.1600/- only. As against this position, the applicant had to pay an amount of Rs.2600/- meant for a new connection which could have been avoided by the non-applicant. In view of this position, we are inclined to hold & do hold accordingly that the applicant was not really required to pay the demand note amount of Rs. 2600/- meant for a new connection and that only an amount of Rs.1600/- ought to have been recovered from him for change of name.

In the result, we direct the non-applicant to refund the differential amount of Rs. 1000/- (2600-1600) to the applicant forthwith.

Since we are convinced that harassment was caused to the applicant and also that no proper advise was given to him from time to time, we feel that some compensation deserves to be awarded to the applicant. We, therefore, direct that the applicant should be paid an amount of Rs. 1000/- as compensation.

In the result, the applicant's grievance applicant stands accepted and same is disposed off in terms of the reliefs granted in this order.

The non-applicant shall report compliance of this Order to this Forum on or before 28.02.2006

Sd/-
(M.S. Shrisat)
Member-Secretary

Sd/-
(Smt. Gouri Chandrayan)
Member

Sd/-
(S.D. Jahagirdar)
CHAIRMAN

**CONSUMER GRIEVANCE REDRESSAL FORUM
MAHARASHTRA STATE ELECTRICITY DISTRIBUTION CO LTD's
NAGPUR URBAN ZONE, NAGPUR.**