

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

Case No. CGRF(NUZ)/108/2015

Applicant : Shri Jyotish S. Hajare,
R/o Punapur (Old Basti),
Pardi, Naka,
Nagpur : 400 030.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(Distribution Franchisee),
MSEDCL,,
NAGPUR.

Applicant :- In person.

Respondent by 1) Shri Rody, Nodal Office.
2) Shri Dahasahastra, SNDL Nagpur.

Quorum Present : 1) Shri Shivajirao S. Patil,
Chairman.

2) Adv. Subhash Jichkar
Member.

3) Shri Anil Shrivastava,
Member / Secretary.

ORDER PASSED ON 13.8.2015.

1. The applicant filed present grievance application before this Forum on 29.6.2015 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressal

Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).

2. Applicant's case in brief is that SNDL recovery officials have removed the meter of the applicant on 20.4.2015 due to non payment of outstanding arrears of Rs. 6777/-. Applicant has paid total bill of April 2015 including arrears on 12.5.2015 but still his supply was not reconnected. He has visited concerned officials who have removed the meter for reconnection of supply but no action was taken for reconnection of supply. Therefore applicant filed grievance application before I.G.R.C. As per order dated 25.6.2015, I.G.R.C. directed SNDL to pay compensation to the applicant. Being aggrieved by the said order by I.G.R.C. applicant approached to this Forum.

3. Non applicant denied applicant's case by filing reply Dated 13.7.2015. It is submitted that applicant did not pay arrears of Rs. 6777.60 and therefore supply was permanently disconnected on 20.4.2015. Applicant deposited Rs. 7850/- on 12.5.2015, but supply was not reconnected and hence he approached to Learned I.G.R.C. for compensation of Rs. Two lacs. Learned I.G.R.C. held that non applicant is liable to pay compensation of Rs. 400/-. That order is legal and proper.

4. Forum heard arguments of non applicant's side and perused record.

5. We have carefully perused order passed by Learned I.G.R.C. Learned I.G.R.C. ordered that as per regulation 12 of MERC SOP Regulations 2014, Appendix 'A', compensation of Rs. 100/- per week or part thereof for delay above permissible limit of 24 hours should be paid to the applicant. Delay comes out to be (13.5.2015 to 3.6.2015) 4 weeks and therefore compensation of Rs. $100 \times 4 = 400$ has to be paid and accordingly Learned I.G.R.C. granted compensation of Rs. 400/-.

6. It is the contention of the applicant that he had planted flowers plants and as there was delay in restoration of supply he can not water the crops and there is failure of crops of flower plants. On account of failure of crop he claimed compensation of Rs. 2.00 lacs.

7. During the course of arguments applicant was directed to produce 7/12 extract of relevant period of plantation of flower plants for the year 2014-15. However, it is rather surprising to note that applicant produced one 7/12 extract on record. It is for the year 2007-08, 2008-09 and 2009-10. It is noteworthy that at the bottom of this 7/12 extract for the year 2007 to 2010 there is signature of *Talathi* and below this signature date is mentioned as 19.5.2015. It means Talathi has issued this old 7/12 extract on 19.5.2015, but issued only for the years 2007 to 2010. If really applicant would have planted flower plants in 2014-15, he would have definitely demanded relevant 7/12 extract of the current year to the Talathi, specially when applicant visited the Talathi on

19.5.2015. However, it is surprising to note that 7/12 extract since 2011 to 2015 is not produced on record and therefore we have no hesitation to draw adverse inference against the applicant. As applicant did not produce current 7/12 extract of the relevant period for the year 2014-15 to prove plantation of flower plants, there is no question of damage to the alleged crops. It is also possible that since 2010, the land is not in cultivation. That should be the reason that relevant 7/12 extract is suppressed by the applicant. Non production of current 7/12 extract on record is enough to come to the conclusion that there was no damage to the flower crop.

8. Learned I.G.R.C. has already given compensation as per SOP regulations.

9. On behalf of non applicant it was argued that since 17.6.2013 there was no payment by the applicant. On the contrary applicant argued that no bill for any particular amount was issued and therefore he could not pay the bill. Learned representative of M.S.E.D.C.L. Shri Rody brought to the notice of the Forum that on the electricity bill for December 2014, there is specific note about 'Krishi Sanjivani Yojana 2014'. For the beneficiary of this Krishi Sanjivani Yojana, it was necessary to deposit Rs. 5215.59 on or before 31.3.2015 and due to these contingencies of application of Krishi Sanjivani Yojana, specific amount of bill was not appearing in the bill. Same noting is also appearing in the bill of February 2015.

10. We have carefully perused order passed by Learned I.G.R.C. In our opinion it is legal and proper and needs no interference. Grievance application deserves to be dismissed. Hence following order :-

ORDER

- 1) Grievance application is dismissed.

Sd/-
(Anil Shrivastava)
MEMBER
SECRETARY

Sd/-
(Adv. Subhash Jichkar)
MEMBER

Sd/-
(Shivajirao S. Patil),
CHAIRMAN