

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

Case No. CGRF(NZ)13/2017

Applicant : Shri Michael V. John
1704, CMPDI Rd., Old Jaripatka
Nagpur.

Non-applicant : Nodal Officer,
The Superintending Engineer,
(D/F.) NUC, MSEDCL,
NAGPUR.

Applicant :- In person.

Respondent by 1) Shri Vairagade, EE, Nodal Office
2) Shri Tekam, Nodal Office.
3) Shri Dahasahastra, SNDL Nagpur.

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

2) Shri N.V. Bansod
Member

3) Mrs. V.N. Parihar,
Member, Secretary

ORDER PASSED ON 28.02.2017.

1. The applicant filed present grievance application before this Forum on 21.01.2017 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, he applied for new electric connection on 29-11-2016 but SNDL rejected it on the ground that there are P.D. arrears of Rs.7220/-

against old P.D. consumer No.410012182370. Applicant approached to IGRC. As per order dated 19-12-2016 IGRC directed to process the application for release of electric connection but request for payment of compensation is rejected. Being aggrieved by the order passed by the IGRC regarding compensation, applicant approached to this forum.

3. Non applicant, denied applicant's case by filing reply dated 31.01.2017. It is submitted that there were P.D. arrears on previous consumer amount of Rs.7220/- therefore application was rejected. IGRC passed order dated 19-12-2016. As per that order demand note was given to the applicant on 22-12-2016. Applicant paid amount of demand on 23-12-2016 and connection was released on 21-01-2017, compensation can not be given.

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

5. It is specifically mentioned in the order passed by IGRC that, as per the record CPL of old connection No.410012182370 is not available due to which billing status can not be confirmed and therefore benefit of Regulation 10.5 of MERC's Supply Code Regulation 2005 regarding payment of only 6 months bill prior to disconnection can not be given to applicant. Hence such unconfirmed P.D. dues can not be recovered from the applicant.

6. As per order of IGRC dated 19-12-2016 demand is issued immediately on 22-12-2016 i.e. after only 2 days of IGRC order. Applicant paid amount of demand on 23-12-2016 and complied necessary formalities therefore supply is released on 21-01-2017.

7. Date of application for new connection is 29-11-2016. Therefore there is delay in issuing demand for the period 13-12-2016 to 22-12-2016 and applicant is entitled for compensation for issuing late demand according to MERC's SOP Regulation.
8. Demand is given on 22-12-2016. Applicant paid amount of demand on 23-12-2016 and connection is released on 21-01-2017. Therefore supply is released within stipulated time of one month and hence no compensation can be granted for delay in releasing the connection.
9. Needless to say that so far as compliance of the order passed by IGRC concerned, IGRC directed SNDL to comply before 26-12-2016. Needless to say if there is contempt of IGRC order, applicant is at liberty to recourse of remedy u/s.142 of Electricity Act 2003 and this forum is not agency to execute order passed by IGRC.
10. Hence Forum proceed to pass the following order.

ORDER

1. Grievance application is partly allowed.
2. Non-applicant of SNDL is hereby directed to pay compensation to the applicant for issuing late demand for the period 13-12-2016 to 22-12-2016 according to MERC's SOP Regulation.
3. Supply is released within stipulated time of one month after completing requisite formalities by the applicant therefore no compensation can be granted for alleged delay in releasing the connection therefore claim is hereby rejected.
4. Non-applicant is directed to comply within one month from the date of this order.

Sd/-

Sd/-

Sd/-

Sd/-

(N.V.Bansod)
MEMBER

(Mrs.V.N.Parihar)
MEMBER/SECRETARY

(Shivajirao S. Patil),
CHAIRMAN

