

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

Case No. CGRF(NZ)/28/2017

Applicant : Shri Laxman J. Nagose,
At Chikhali, Post Kora, Tah.Samudrapur,
Dist. Wardha-442305.

Non-applicant : Nodal Officer,
The Executive Engineer,
O&M Division,MSEDCL,
Hinganghat.

Appellant's representative :- Shri N.N. Behare,

Respondent by 1) Shri Pawade,EE, O&M Division,MSEDCL, Hinganghat
2) Shri Hedau,Dy.E.E., Samudrapur S/Dn.

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

2) Shri N.V.Bansod
Member

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

ORDER PASSED ON 22.03.2017.

1. The Applicant filed present grievance application before this Forum on 04.03.2017 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 agricultural connection on 01.06.2015.

Demand was issued on 22.11.2015. Demand was paid on 26.11.2015. Test Report was submitted on 28.11.2015. The supply is not given and therefore, applicant claimed Ag. Connection and compensation according to Maharashtra Electricity Regulatory Commission SOP Regulation.

3. Non applicant MSEDCL denied the applicant's case by filling reply on dt. 18.03.2017. It is submitted that it is necessary to install 63 KV Transformer and 0.3 km LT Line. According to Regulation 4.9 of Maharashtra Electricity Regulatory Commission SOP Regulation it is within meaning of definition of Sub-station. Distribution Transformer is included in this definition and therefore, stipulated time to release the supply is one year from completion of necessary formalities. Hence grievance application deserves to be dismissed.

3. Forum heard arguments of both the side and perused record.

4. Date of application is given in copy of demand as 02.09.2015. Therefore, we find no force in the contention of the applicant that A-1 form is submitted on 01.06.2015. Believing the date of application i.e. 02.09.2015 given in demand note we hold that application is 02.09.2015. On demand note specific date 13.10.2015 is written. Therefore we hold that demand was issued on 13.10.2015 and not on 22.11.2015. Therefore, we hold that there was delay in issuing demand for the period 03.10.2015 to 12.10.2015 and applicant is entitle for compensation for issuing late demand according to Maharashtra Electricity Regulatory Commission SOP Regulation.

5. According to the non applicant it is necessary to install 63 KV Transformer and 0.3 km LT Line. In our opinion this installation of Transformer and LT Line fall within the definition of "Sub-station" laid down under Regulation 4.9 of Maharashtra Electricity Regulatory Commission SOP Regulation. Therefore, stipulated period for releasing supply

is 1 year from the date of completing requisite formalities within the meaning of Regulation 4.9 of Maharashtra Electricity Regulatory Commission SOP Regulation. For this purpose we placed our reliance on the order passed by **Hon'ble Electricity Ombudsman, Nagpur in representation No.37/16 decided on 29.09.2016. In para 5 of this order Hon'ble Electricity Ombudsman, Nagpur hold:**

“It is observed that the respondent received Test Report on 28.09.2015. Thus, the application of the appellant was complete in all respect on 28.09.2015. As per the submission of the respondent, in order to give electric supply to the appellant, it was necessary to install 63 KVA Transformer and to lay LT Line of 0.12 kms. Under R.49 of the SOP Regulations, period of one year is granted for supply of electricity. In the present case, electric supply was released to the appellant on 26.07.2016 i.e. before one year from 28.09.2015. As such the appellant is not entitled to compensation on this count. The Forum erred in granting compensation to the appellant by observing that it was necessary to release supply within 90 days from the date of completion of the application.”

6. Therefore we hold that according R.4.9 of the MERC's SOP Regulations period for releasing the supply is 1 year. Test Report is submitted on 28.11.2015, therefore, necessary formalities were completed on 28.11.2015. Even then supply is not released within 1 year, therefore, there is delay in releasing the supply since 28.11.2015 till date of connection and hence applicant is entitled for compensation according to of the MERC's SOP Regulations.

7. According to MSEDCL there is seniority list but seniority list is contrary to MERC's SOP Regulations and it is not legal and proper.

8. Hence Forum proceed to pass the following order.

ORDER

1. Application is partly allowed.
2. MSEDCL is directed to pay compensation to the applicant for issuing late demand for the period 03.10.2015 to 12.10.2015 according to MERC's SOP Regulation.
3. Non applicant MSEDCL is directed to release Agricultural Connection to the applicant within 30 days from the receipt of this order according to MERC's SOP Regulations
4. Non applicant MSEDCL is directed to to pay compensation to the applicant for releasing late supply for the period 28.11.2016 till date of connection according to MERC's SOP Regulation.
5. Non-applicant is directed to comply within 30 days from the date of this order.

Sd/-
(N.V.Bansod)
MEMBER

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

sd/-
(Shivajirao S. Patil),
CHAIRMAN