

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

Case No. CGRF(NZ)/78/2017

Applicant : Shri. Rajesh Madhukar Meshram,
Plot No. 341A, Somwari peth Quarter,
Gajanan mandir Road, Nagpur.
Non-applicant : Nodal Officer,
The Superintending Engineer,
(D/F) NUC,MSEDCL, Nagpur.

Applicant: - Shri. Deepak Madhukar Meshram,,Applicant 's representative.
Non- applicant:- 1) Shri.Vairagade , EE, Nodal Office,MSEDCL
2) Shri Dahasahastra, SNDL Nagpur.

Quorum Present: - 1) Mrs. V.N.Parihar,
Member, Secretary & I/C.Chairman.
2) Shri N.V.Bansod,
Member

ORDER PASSED ON 25.09.2017.

1. The applicant filed present grievance application before this Forum on 18.08.2017 under Regulation 6.4 of the Maharashtra Electricity Regulatory Commission (Consumer Grievance Redressed Forum & Electricity Ombudsman) Regulations, 2006 (hereinafter referred to as said Regulations).
2. Non applicant, denied applicant's case by filing reply dated 05.09.2017
3. Forum heard arguments of both the sides and perused record.

4. The applicant Shri Rajesh Madhukar Meshram case in brief is that, he applied for new connection vide application No. 2237599938. but his application is rejected by SNDL on the ground of non-payment of old P.D. dues of old connection .However In the same premises supply is availed by another Consumer having no.410017677716.hence applicant was not ready for the same therefore he filed the grievance application before IGRC vide case no.291/2017.As per order Dated 19.07.2017, IGRC hold that,

(a) As the record of PD consumer, the address of the premises is same as the address of the applicant i.e. H.No.34/A hence he is liable to pay Rs.15240/-against his father's connection no.410013049746.

(b) Recover Rs. 15240/- towards PD dues against PD consumer no. 410013049746.and after payment, process the application for release of new electric connection. Applicant challenged 2nd part of order of the IGRC before this forum.

5. Non-applicant denied applicant's case by filing reply dated 05.09.2017.It is submitted that applicant Shri Rajesh Madhukar Meshram is the son of Shri. Madhukar Ramchandra Meshram who was given electric supply with consumer no. 410013049746 on dt.17.01.1987 for residential purpose, but due to non-payment of dues of Rs.15240 /-his supply was permanently disconnected in the month of Jan-2003.

6. IGRC relied on regulation 10.5 of MERC's supply code Regulation 2005 and directed the applicant to pay arrears Rs. 15240 /- as per order dated 19.07.2017.On payment of the same, connection is to be released to the applicant.

7. Forum heard arguments of the both side and perused record on dt.07.09.2017.

8. IGRC already hold that PD dues of old PD consumer no. 41001878683 and 410011419333 of Rs. 63290/-and Rs.6770/- respectively, is set aside and is not recoverable.

9. We have carefully perused CPL of old PD consumer no. 410013049746 .On verification of CPL record of Shri. Madhukar Ramchandra Meshram,who is the father of applicant having consumer no. 410013049746, It is seen that till Jan-2003 bill amount of Rs.15230 /- was remained unpaid, for which supply was subsequently permanently disconnected for nonpayment. *In this matter the owner of premises is the applicant's father.*

As per provisions in the Regulation 10.5 which reads as under:

“Any charge for electricity or any sum other than a charge for electricity due to the Distribution Licensee which remains unpaid by a deceased consumer or the erstwhile owner / occupier of any premises, as a case may be, shall be a charge on the premises transmitted to the legal representatives / successors-in-law or transferred to the new owner / occupier of the premises, as the case may be, and the same shall be recoverable by the Distribution Licensee as due from such legal representatives or successors-in-law or new owner / occupier of the premises, as the case may be..”

Relying on the above provision, Forum is of the opinion that, any outstanding arrears are charge on the premises, and not on the person. Being a son; applicant is legal representative of previous owner, therefore has to bear liability of arrears

towards the P.D. connection of the same premises having no.410013049746 Therefore recovery sought is justified as per regulation 10.5 of MERC's supply code Regulation 2005. Therefore the *order* passed by IGRC is legal and proper

10. As per perusal of MSEDCL circular no 293 dt 13.09.2017, "**Residential and Agricultural Amnesty Scheme 2018**" is launched for recovery of arrears from permanently Disconnected Residential and Agricultural consumers details are given below:-

- *Residential and Agricultural Consumers which are PD on or before 31st March, 2017 are eligible for participation in the scheme.*
- *Consumer can participate in this scheme up to 31st March 2018.*
- *Principal amount as on date of TD, after adjustment of SD, be paid in equal 5 monthly installments.*
- *On receipt of 1st installment, the consumer will be reconnected after payment of necessary Connection charges.(After 6 months from the date of PD, the connection to be treated as new connection with same number)*
- *The consumer shall pay the balance 4 installments along with the subsequent monthly current bill.*
- *100% Interest and DPC to be waived off after recovery of full principal amount.*

In view of the above, the Applicant may participate in Residential and Agricultural Amnesty Scheme 2018 of MSEDCL for availing the NSC and then SNDL shall provide all benefits of this Scheme to the applicant while releasing the NSC.

11. However we proceed to pass the following order.

ORDER

1] Grievance application is dismissed.

sd/-
(Shri.N.V.Bansod)
MEMBER

sd/-
(Mrs.V.N.Parihar),
MEMBER/SECRETARY/& I/CHAIRMAN

