

No. CE(Dist.)/RE/ RE-I/ 16280

Date: 13.06.2019

**CIRCULAR**

**Sub:** MERC order in case no. 102 of 2019 Dtd. 20.05.2019 (Regarding exempting the timelines for releasing the connections to Agriculture and Residential consumers & determination of compensation thereof)

- Ref:** 1) ED (Dist-II)/AG/SOP/Petition/345 Dtd. 04.01.2019  
2) ED (Dist-II)/AG/SOP/Petition/3614 Dtd. 02.02.2019  
3) MERC Order in case no 6 of 2019 Dtd. 22.02.2019  
4) ED (Dist-II)/AG/SOP/Petition/10940 Dtd. 24.04.2019  
5) MERC Order in case no 102 of 2019 Dtd. 20.05.2019  
6) MERC (SoP, Period for Giving Supply and Determination of Compensation ) Regulation 2014.

Releasing connections to Agriculture consumers and hutments in remote areas, requires a huge infrastructure with large investment. Because of unavailability of funds and infrastructure, it is not possible to release the connection to Ag and Hutment consumers in remote areas. The aggrieved Agriculture and hutments applicants rushed to Consumer redressal forum or Ombudsman to resolve their grievances for getting supply connection & seeking for compensation claim under Regulation 12.

These quasi-judicial authorities (CGRF/E.O./ etc) often awards orders against MSEDCL for non-observing Standard of Performance (SoP) and raised exorbitant amount towards compensation.

MSEDCL had filed the petition in Case N o. 06 of 2019 for removal of difficulties in implementation of MERC (SoP, Period for Giving Supply and Determination of Compensation ) Regulation 2014 for releasing new connection & determination of compensation for Ag & residential consumers of Wadis/Vastis .

In the said petition, MSEDCL has sought relief/ amendment in certain provisions of SoP Regulation :-

- (a) To relax SoP in respect of releasing connections to AG consumers irrespective of methodology / scheme of providing connections i.e. conventional LT / HVDS / Stand alone Solar, etc. and irrespective of geographical location of the AG pump connections.
- (b) To relax SoP in respect of releasing remotely located residential connections i.e. farmhouses / Wadis / Vastis / hutments in remote area.
- (c) Requested to provide ceiling on compensation of exorbitant amount awarded by Quasi- Judicial Authorities established under Electricity Act-2003 & Regulations. Further, requested that while dealing with the issue of fixing responsibility, the compensation should not be levied on individual employee of MSEDCL & leave the issue to Distribution Licensee to determine personal liabilities of the concerned field officers based on its departmental enquiry mechanism.

The Hon'ble Commission ruled as,


- *The ceiling on compensation amount shall be twice the service connection charges .**This ceiling is applicable for only Agriculture and residential consumers of notified wadis/vastis.***
- *While dealing with the issue of fixing responsibility, CGRFs and EOs shall harmoniously give effect to the provisions of these SoP Regulations, to the extent possible, leave the issue to Distribution Licensee to determine personal liability of the concerned field officers based on its departmental enquiry mechanism.*
- *CGRF's and EO's shall consider the revised ceiling while determining the compensation for the pending cases also.*

To remove any ambiguity in interpreting the said order MSEDCL again filed the petition (Case No. 102 of 2019), praying the Commission to clarify that, its ruling in Case No. 06 of 2019 regarding the ceiling on compensation for the delay in releasing connections is applicable to all Ag consumers in the License area & all residential consumers situated in remote huts/ farmhouses of wadis/ vastis in the License area.

Accordingly, the Hon'ble Commission (vide Case No. 102 of 2019) ref (5) has ruled as,

- 1) The ceiling on compensation for the delay in releasing connections to **all AG consumers** in the License area shall be twice of the Service Connection Charges deposited by that consumer.
- 2) The ceiling on the compensation for delay in releasing connections to **all residential consumers situated in remote huts/farmhouses of wadis/vastis** in the License area shall be twice of the Service Connection Charges deposited by that consumer.

In view of above, all field officers are directed to refer & follow the directives of Hon'ble MERC order in Case No. 102 of 2019. Further directed that this order shall be brought in the notice of Forum/ E.O./Courts & all pending/ ongoing cases to be pleaded accordingly.

  
**Chief Engineer (Distribution)**

**Copy s.w.rs. to:**

1. The Director (Operations/ Projects/ Commercial/ Finance), M. S. E. D. Co. Ltd., Prakashgad-Mumbai.
2. The Executive Director (Distribution-II/ Infra/ Project/ IT-B&R/ HR), M. S. E. D. Co. Ltd., Prakashgad-Mumbai.
3. The Regional Director (A'bad/Kokan/Nagpur/Pune)

**Copy f.w.cs. to:**

1. The Chief Engineer, All O&M Zone.
2. The Superintending Engineer, All O&M Circle.